



IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1979

NO. 78-6386

WILLIAM JAMES RUMMEL,
Petitioner,

v.

W. J. ESTELLE, JR., DIRECTOR,
TEXAS DEPARTMENT OF CORRECTIONS,
Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT

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August 7, 1979

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DESCRIPTION OF TABLES

TABLE 1

This Table, which lists every reported case decided between January 1, 1965, and June 30, 1979, in the Texas Court of Criminal Appeals in which a prisoner received a life sentence under either article 63 of the 1925 Penal Code or section 12.42(d) of the 1974 Penal Code, with cases involving the most serious offenses listed first. The methodology and abbreviations used in Table 1 are explained at footnote * of that Table (C. 1).

TABLE 2

This Table lists all felony offenses specified in the 1974 Penal Code and the Controlled Substances Act, by degree of felony.

TABLE 3

This Table lists in chronological order for each state and territory and the Federal Government almost all habitual offender legislation in effect since 1776. The following is a description of each column heading and the terminology used in each column.

(1) The state name is listed only once, except that an abbreviation for the state appears at the top of each succeeding page.

(2) The "Effective Date" is the date that the statute went into effect. If an effective date was unavailable, the date approved was used. Before 1900, only the year appears; after 1900, both the day and month are included.

(3) In the "Cite" column is a citation of (a) the year in which each statute was enacted, followed by the word "Acts," and (b) citation of the relevant session law in which the statute was first published. No code cites appear in this table unless the statute did not appear in the session laws, in which event the Penal Code ("P.C.") cite is used.

Many habitual offender statutes contain several provisions and apply with varying degrees of harshness to different combinations and numbers of offenses. Each such provision is listed with the citation to the statute, in ascending order, according first to the number of prior offenses required and then according to the severity of the punishment provided. The date of enactment and the session law citation appear only once, adjacent to the first statutory provision listed, but each citation refers to every provision listed between that cite and the citation to the next statute.

(4) The "Present Offense" column describes the type of offense that must be committed before an enhanced punishment applies. When the statute applies to any offense punishable by imprisonment, the term "prison offense" is used. If the statute designates the offenses to which an enhanced punishment applies, the words "specified felony" or "specified offense" are used. If the statute applies to any felony or any prison offense, only the words "felony" or "prison offense" appear.

(5) In the "# of Priors" column is a number corresponding to the number of prior offenses that an accused must have committed before the present offense can be punished by an enhanced sentence under the relevant habitual offender statute.

(6) In the "Previous Offenses" column is a description of the type of offenses that an accused must have committed previously before the punishment for the most recent offense can be enhanced. The same terminology used in the "Present Offense" column is used in the "Previous Offenses" column.

(7) In the "Previous Sentence" column appears any minimum sentence that must have been served for one or more of the prior offenses before the habitual offender statute applies. If the statute requires only that time have been spent in prison, without a specified minimum time, the designation "Prison Term" is used.

(8) The "Mandatory Minimum" and "Discretionary Maximum" columns contain information regarding the punishment that a judge must impose on a habitual offender and the discretionary punishment that a judge or jury may assess such an offender. For example, if the statute mandates assessment of the maximum sentence for the third offense and permits a sentence for any term of years, including life imprisonment, then the word "Maximum" will appear in the "Mandatory Minimum" column and "Life" will appear in the "Discretionary Maximum" column.

Table 3 includes every habitual offender statute dealing with felonies or "prison offenses." I excluded only those statutes relating to (1) nothing but misdemeanors or larceny offenses for both present and past offenses, unless the punishment exceeded five years, and (2) statutes dealing with certain trivial offenses such as moving vehicle and liquor law violations, unless the punishment exceeded five years. A statute that required commission of either a felony or a prison offense was automatically included, even if it

also required commission of either a misdemeanor or a larceny offense or carried a punishment of five years or less.

TABLE 4

This Table lists the statutes currently in effect in each state and territory. It is identical in column information to Table 3 except that the session law cite has been replaced by a citation to the current code.

TABLE 5

This Table lists those statutes contained in Table 3 in which a state has ever enacted and later repealed a habitual offender statute mandating a life sentence upon commission of a specified number of offenses, without requiring that one of the offenses be either "semi-violent" (i.e., potentially violent, such as burglary) or violent. The "Effective and End Dates" column lists the statute's effective date and the date on which the statute was replaced by a new enactment. The "# of Years" column lists the number of years during which the statute (or combination of statutes within a particular state) was in effect before being replaced by a new statute.

TABLE 6

Beginning with 1900 and at each five-year period thereafter, this chart lists the states with habitual offender statutes, first by the length of sentence and then by the type and number of triggering offenses. Length of sentence is divided into four categories: (1) mandatory life (Table 6A), (2) discretionary life (Table 6B), (3) mandatory sentence: less than life (Table 6C), and (4) discretionary sentence: less than life (Table 6D). A fifth category, "no

habitual offender statute" (Table 6E) completes the categories. Within each punishment length category, three types of triggering offense requirements are used: (1) when the statute applies to any offense (including statutes that can be triggered by specified nonviolent offenses); (2) when the statute cannot be applied unless at least one violent or semi-violent offense (including a narcotics offense) has been committed; (3) some other requirement, i.e., commission of "similar felonies" or felonies of any class or degree where the type of offense falling within that class or degree of felony was not known.

The following abbreviations were used:

"a" = any

"nv" = nonviolent offense

"sv" = semi-violent offense

"v" = violent offense

"o" = other requirement

"j" = the statute requires that jail time have been served for one or more of the previous offenses

"m" = enhanced punishment does not apply unless the current offense is punishable by a minimum or maximum term of a specified number of years,

"s" = the statute does not apply unless the judge or jury sentences the defendant to a term of imprisonment for the current offense,

"t" = the statute does not apply unless the previous offense or offenses were committed within less than a specified number of years before commission of the most recent offense.

The following rules were employed in categorizing statutes:

(1) Any statute mandating a life sentence upon conviction of a specified number of felonies when the most recent felony is punishable by life imprisonment is not treated as a separate statute if the same jurisdiction also mandates imposition of the maximum sentence for the most recent offense upon conviction of a smaller number of felonies. (2) An offense punishable by life imprisonment is treated as a violent offense. (3) A sentence of fifty years or more is treated as a life sentence. (4) An offense punishable by a prison term exceeding ten years is treated as a "semi-violent offense" unless the offenses are otherwise known. (5) Class 1 or A or first degree felonies are treated as violent offenses. (6) A mandatory sentence that the judge has discretionary power to reduce is treated as a discretionary sentence.

TABLE 7

These Tables categorize and total the jurisdictions listed in Table 6. As in Table 6, the statutes are categorized according to the length of sentence, i.e., mandatory life (Table 7A), discretionary life (Table 7B), mandatory sentence: less than life (Table 7C), and discretionary sentence: less than life (Table 7D). In each of these charts, the number of jurisdictions with statutes applying to any one of the following three categories of triggering offenses are listed: (1) any offense, or several designated offenses that included nonviolent offenses, (2) at least one semi-violent or violent offense, and (3) some other offense requirements. Included in each triggering offense category is the total number of offenses necessary to trigger the habitual offender statute. Any jurisdictions requiring more than four offenses were included in the column labeled "4+."

Table 7E summarizes the information contained in Tables 7A-D. Table 7F compares the number of jurisdictions each five years since 1900 with mandatory sentences of any length and those with discretionary sentences of any length.

As reflected in Table 3, many states increase the length of sentence as the number of prior convictions increase, e.g., one length sentence for a second conviction, a longer sentence for a third conviction, etc. Within each state, each sentence listed in Table 3 was treated in Table 7 as a separate statute; thus, in a given year, the number of statutes listed in Table 7 usually exceeds the number of states and territories represented.

Even though Hart v. Coiner, 483 F.2d 136 (4th Cir. 1973), cert. denied as untimely filed, 415 U.S. 938 (1974), prohibited prosecutors from imposing on certain petty felony offenders the life sentence mandated by the West Virginia recidivist statute and even though the Washington Supreme Court has indicated that it might follow Hart if the Washington habitual offender statute were ever applied to someone with three petty property offenses, both states were listed in the "Any Felonies" category on the "Mandatory Life Sentence" chart (Table 7A).

To avoid double counting, the figure in each "Total" column of Table 7 represents the total number of relevant jurisdictions rather than the total number of statutory provisions. When the figures in several columns are added together to obtain a total, if the figures in any two columns for the same year include more than one statutory provision from the same jurisdiction, the total is reduced by the number of duplicate provisions. Thus, the number listed in the

"Total" column represents the total number of different jurisdictions with habitual offender legislation containing a provision falling within the category described in that column. In this manner, a state is not counted more than once merely because it has a habitual offender statute with several provisions that fall within the same category. A state may be counted once in each of several categories, however, if it has enacted habitual offender legislation that falls within more than one category in a given year.

TABLE 8

This Table categorizes and summarizes all current habitual offender legislation, i.e., the statutes listed in Table 5.

HABITUAL OFFENDER CASES
IN THE TEXAS
COURT OF CRIMINAL APPEALS:
1965 - 1979*

I. 3 OR MORE VIOLENT OFFENSES

A. Affirmed on Appeal (3 cases)

Mathis v. State, 471 S.W.2d 396 (1971) (3 assaults with intent to murder, assault with intent to rape)

Roberts v. State, 495 S.W.2d 894 (1973) (robbery by assault, 2 robberies)

Simmons v. State, 456 S.W.2d 66 (1970) (rape by force and threats, 2 aggravated assaults, carrying a pistol, auto theft)

*/ The cases listed in this Table were obtained by programming a Lexis computer to retrieve every reported opinion since 1965 in the Texas Court of Criminal Appeals, the highest state criminal court, citing any one of the following: "art. 63," "article 63," "12.42(d)," and "12.42 (d)." This produced approximately 750 cases, all of which were read and the irrelevant ones discarded, leaving cases involving 380 persons. In 75 of these cases, the appellate court reversed the conviction; the court's disposition is reflected after each citation.

The Lexis data bank contains only cases decided after December 31, 1964. It contains neither unreported cases, cases in which the prisoner did not appeal to the Texas Court of Criminal Appeals, nor cases decided after June 30, 1979. No effort was made to determine the number of cases in these categories, although there is no reason to believe that the percentage of cases in each category would vary significantly if such cases had been included.

In this Table, the first offense listed in parentheses is the most recent offense, i.e., the offense that triggered indictment and conviction under either article 63 or section 12.42(d). For each case in which one or more prior offenses were not named, the designations "+ 1," "+ 2," etc. were used to record the number of unknown offenses indicated in the cited case or cases. For each case in which one or more prior offenses were not listed, the Lexis computer was programmed to obtain every other published opinion issued since 1965 in which a prisoner with the same name had appealed to the Texas Court of Criminal Appeals. Additionally, an attempt was made to find other opinions in the Texas Digest table of cases. All such opinions in which the court described an offense not previously indicated in the first print-out were listed above, and the offenses listed in parentheses were changed accordingly.

Cases listed in this Table are grouped according to the nature and number of offenses, using the following categories: (1) "violent offenses," which include murder, robbery, assault, rape, burglary by assault, armed burglary, escape or aiding escape from prison, any armed offense, and any offense in which assault or other violence or carrying a weapon is an element; (2)

TABLE 1

I. 3 OR MORE VIOLENT OFFENSES (cont.)

B. Reversed on Appeal (1 case)

Montgomery, Ex parte, 571 S.W.2d 182 (1978); Montgomery v. State, 571 S.W.2d 18 (1978) (aggravated assault, aggravated assault with a deadly weapon, making a false statement to a licensed firearm dealer in connection with a firearms purchase, burglary; reversed and remanded for resentencing for either the third offense or as a two-time offender, but not as a three-time habitual offender)

II. 2 VIOLENT OFFENSES, 1 OTHER

A. Affirmed on Appeal (13 cases)

Ashley v. State, 527 S.W.2d 302 (1975) (false imprisonment, sodomy, robbery)

Doby v. State, 454 S.W.2d 411 (1970) (narcotics possession, armed robbery, assault with intent to rob)

Garcia, Ex parte, 560 S.W.2d 948 (1978) (2 possessions of a firearm by a felon + 1)

Hall, Ex parte, 546 S.W.2d 303 (1977) (theft, robbery by assault, murder without malice)

Hardin v. State, 453 S.W.2d 156 (1970); 453 S.W.2d 158 (1970); 471 S.W.2d 60 (1971) (auto theft, robbery by assault, armed robbery)

(footnote continued)

"semi-violent offenses," which include such offenses as burglary (unless it involved assault or intent to commit a violent crime), theft from a person, grand larceny, driving while intoxicated, child desertion, child-molesting offenses, breaking and entering a motor vehicle, and auto theft; (3) "drug offenses," including sale and delivery of any drug and possession of any drug or drug paraphernalia, with cases involving heroin listed first, then cases involving the nonspecific term "narcotics," and finally cases involving marijuana; (4) "sex offenses," which include every sex crime not listed in the violent or semi-violent category; (5) "nonviolent offenses," which include forgery, bad checks, credit card abuse, counterfeiting, petty larceny, petty theft, receiving and concealing stolen property, swindling, and embezzlement; and (6) "unknown offenses," which include every prior offense not specifically named in the cases found. Attempt and accomplice offenses were categorized according to the underlying crimes.

For listing purposes, crime categories were rated according to an arbitrarily selected degree of seriousness, most serious first, in the following order: violent crimes, semi-violent crimes, drug offenses (first, heroin, then "narcotics," and finally, marijuana), sex crimes, and nonviolent offenses. A case was listed in the category of the most "serious" offense committed. For example, a case involving convictions for murder, heroin sale, and theft would be listed in the "1 Violent Offense, at Least 2 Others" category and would not appear in either the "1 Drug Offense, at Least 2 Others" category or the "1 Nonviolent Offense, at Least 2 Others" category.

TABLE 1 (cont.)

II. 2 VIOLENT OFFENSES, 1 OTHER (cont.)

Hughes v. State, 455 S.W.3d 303 (1970) (murder, unlawfully carrying a pistol + 2)

Kincheloe v. State, 553 S.W.2d 364 (1977) (murder without malice, burglary, possession of a firearm by a felon)

Lane, Ex parte, 417 S.W.2d 589 (1967) (assault with intent to murder, burglary, assault with intent to murder with malice)

McCarter v. State, 527 S.W.2d 296 (1975) (escape by a felon, assault with intent to commit rape, theft)

Massey, Ex parte, 442 S.W.2d 388 (1969); Massey v. State, 266 S.W.2d 880 (1954) (theft, theft by false pretenses, burglary, burglary of a private home at night, escape from prison, aiding prisoners to escape from prison)

Mena v. State, 504 S.W.2d 410 (1974) (possession of a pistol after being convicted for a violent crime, robbery, burglary)

Smith, Ex parte, 548 S.W.2d 410 (1977) (car theft, armed robbery, aggravated robbery)

Winkle v. State, 506 S.W.2d 891 (1974), cert. denied, 419 U.S. 843 (1974) (2 rapes + 1)

B. Reversed on Appeal (6 cases)

Gutierrez v. State, 555 S.W.2d 457 (1977) (burglary, robbery by assault, escape using a deadly weapon; reversed and remanded for a new trial, with a life sentence still possible)

Ropollo, Ex parte, 558 S.W.2d 869 (1977) (armed robbery, robbery by assault, obtaining narcotics by fraud; reversed and remanded for resentencing, with a life sentence still possible)

Scott, Ex parte, 581 S.W.2d 181 (1979) (burglary with intent to commit theft, 2 robberies; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Spiers v. State, 552 S.W.2d 851 (1977) (aggravated assault, assault with intent to murder, burglary; reversed and remanded for resentencing, with a life sentence still possible)

Stewart, Ex parte, No. 59,778 (June 13, 1979) (robbery, robbery by assault + 1; reversed and remanded for a new trial on the third offense and as a two-time offender, but not as a three-time habitual offender)

Wiggins v. State, 539 S.W.2d 142 (1976) (2 robberies, theft; reversed and remanded for a new trial, with a life sentence still possible)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS

A. Affirmed on Appeal (68 cases)

Allen, Ex parte, 452 S.W.2d 472 (1970) (2 thefts, robbery by assault)

TABLE 1 (cont.)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Alston v. State, 458 S.W.2d 820 (1970) (assault with intent to murder with malice + 2)

Anderson v. State, 495 S.W.2d 896 (1973); 351 S.W.2d 232 (1961) (theft, assault with intent to rape + 1)

Brooks v. State, 567 S.W.2d 2 (1978); 342 S.W.2d 439 (1960) (forgery, rape + 1)

Ash, Ex parte, 514 S.W.2d 762 (1974) (burglary, robbery by assault, theft)

Ballard v. State, 487 S.W.2d 724 (1972) (robbery by assault + 2)

Banks v. State, 471 S.W.2d 811 (1971) (robbery by assault + 2)

Barnwell v. State, 504 S.W.2d 877 (1974) (indecent exposure to a child under 16 years old, theft, robbery)

Bell v. State, 501 S.W.2d 137 (1973) (assault with intent to murder a policeman + 3)

Blackwell v. State, 510 S.W.2d 952 (1974) (theft, assault with intent to murder + 1)

Blake v. State, 468 S.W.2d 400 (1971) (assault with intent to murder + 2)

Boney v. State, 572 S.W.2d 529 (aggravated assault + 2)

Bosley v. State, 414 S.W.2d 468 (1967), cert. denied, 389 U.S. 876 (1967) (heroin possession, marijuana sale, robbery)

Bradley v. State, 403 S.W.2d 154 (1966); 456 S.W.2d 923 (1970) (robbery + 2)

Briley v. State, 413 S.W.2d 921 (1967); 492 S.W.2d 501 (1973) (assault with intent to murder with malice + 2)

Brooks v. State, 500 S.W.2d 636 (1973) (heroin possession, robbery by assault, attempted burglary)

Burton v. State, 471 S.W.2d 817 (1971) (burglary with intent to commit rape, burglary, attempted burglary)

Caraway v. State, 560 S.W.2d 690 (1978) (aggravated rape + 2)

Cedillo v. State, 484 S.W.2d 920 (1972) (robbery by assault + 2)

Chambers v. State, 401 S.W. 609 (1966) (robbery by assault + 2)

Chatman v. State, 513 S.W.2d 854 (1974) (carrying a pistol in a place where liquor is sold + 2)

Cooper v. State, 492 S.W.2d 545 (1973) (carrying a pistol in a place where liquor is sold + 2)

Croft, Ex parte, 429 S.W.2d 905 (1968) (robbery by assault + 2)

Darby v. State, 544 S.W.2d 407 (1977) (aggravated robbery + 2)

TABLE 1 (cont.)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Davis v. State, 429 S.W.2d 459 (1968) (robbery by assault + 2)

Diaz v. State, 491 S.W.2d 166 (1973) (attempted rape + 2)

Eagan v. State, 451 S.W.2d 514 (1970) (burglary of a private home at night with intent to rape + 2)

Eldred v. State, 578 S.W.2d 721 (1978) (aggravated robbery, theft, 2 burglaries, forgery)

Espinoza v. State, 494 S.W.2d 562 (1973) (2 narcotics offenses, assault with intent to murder)

Faulwell v. State, 447 S.W.2d 940 (1969) (burglary, theft from a person, assault with intent to rob)

Foster v. State, 455 S.W.2d 243 (1970) (robbery, burglary + 1)

Garrett v. State, 434 S.W.2d 142 (1968) (robbery, theft + 1)

Gibson v. State, 430 S.W.2d 507 (1968) (assault with intent to commit murder + 2)

Grant v. State, 472 S.W.2d 531 (1971) (assault with intent to rape + 2)

Gutierrez v. State, 456 S.W.2d 84 (1970) (assault with intent to murder + 2)

Hill, Ex parte, 571 S.W.2d 800 (1978) (2 burglaries, assault with a dangerous weapon, forgery, sodomy)

Horne v. State, 508 S.W.2d 643 (1974) (robbery by assault, theft + 1)

Hubbard v. State, 579 S.W.2d 930 (1979) (aggravated robbery using a deadly weapon + 2)

Johnson v. State, 493 S.W.2d 241 (1973) (robbery by assault + 2)

Jones v. State, 449 S.W.2d 277 (1970); 456 S.W.2d 132 (1968) (attempted burglary, burglary, armed robbery)

Jones v. State, 406 S.W.2d 450 (1966) (robbery by assault, 2 thefts)

King v. State, No. 57,840 (June 13, 1979) (theft, assault with a prohibited weapon + 1)

Lemay, Ex parte, 525 S.W.2d 1 (1975) (burglary of a private residence at night, armed robbery + 1)

Lewis v. State, 530 S.W.2d 117 (1975) (robbery + 2)

Lucas v. State, 444 S.W.2d 638 (1969); 463 S.W.2d 200 (1971) (burglary with intent to commit theft, robbery by assault with a firearm + 1)

Lundy v. State, 477 S.W.2d 568 (1972) (robbery by assault + 2)

TABLE 1 (cont.)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Madeley v. State, 388 S.W.2d 187 (1965); 488 S.W.2d 416 (1972) (burglary with intent to commit theft, burglary of a home at night, forgery, robbery by assault + 15)

Martinez v. State, 469 S.W.2d 185 (1971) (burglary with intent to commit theft, assault with intent to rape, theft + 1)

McGee v. State, 486 S.W.2d 942 (1972) (robbery by assault + 2)

Moreno v. State, 541 S.W.2d 170 (1977) (aggravated assault, possession of narcotics paraphernalia, theft)

Peters v. State, 575 S.W.2d 560 (1979) (arson, breaking and entering a motor vehicle with intent to commit theft, burglary)

Porter v. State, 566 S.W.2d 621 (1978) (heroin possession, robbery, theft)

Rhodes v. State, 450 S.W.2d 329 (1970), cert. denied, 400 U.S. 927 (1970) (assault with intent to murder with malice, 2 burglaries)

Sanford v. State, 550 S.W.2d 682 (1977) (aggravated assault, breaking and entering a coin-operated machine + 1)

Sanford, Ex parte, 562 S.W.2d 229 (1977) (robbery by assault, 2 thefts)

Saucier v. State, 563 S.W.2d 938 (1978) (aggravated robbery + 2)

Smith v. State, 450 S.W.2d 618 (1970) (robbery, theft + 1)

Smith, Ex parte, 513 S.W.2d 839 (1974); 430 S.W.2d 496 (1968) (forgery, accomplice to a murder with malice + 1)

Smith, Ex parte, 449 S.W.2d 266 (1969) (assault with intent to murder, 2 burglaries + 1)

Stratman v. State, 436 S.W.2d 144 (1968) (forgery, theft, assault with intent to murder)

Taylor v. State, 491 S.W.2d 922 (1973) (murder without malice + 2)

Turner v. State, 550 S.W. 686 (1977) (heroin possession, burglary, robbery)

Waffer v. State, 500 S.W.2d 659 (1973) (assault with intent to rob + 2)

West v. State, 511 S.W.2d 502 (1974) (3 indecent exposures, robbery by assault)

Williams v. State, 461 S.W.2d 614 (1970) (robbery by assault + 2)

Worton v. State, 488 S.W.2d 116 (1972); 492 S.W.2d 519 (1973) (bad check, robbery by assault with a firearm + 1)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Wright v. State, 468 S.W.2d 422 (1971) (2 thefts, heroin possession, burglary, robbery by assault, narcotics violation)

Zachary v. State, 505 S.W.2d 875 (1974) (robbery by assault + 2)

B. Reversed on Appeal (18 cases)

Alvarez v. State, 472 S.W.2d 762 (1971) (heroin sale, assault with intent to murder, forgery; reversed and remanded for a new trial on the third offense without the habitual offender charge)

Arline v. State, 529 S.W.2d 73 (1975) (robbery by assault + 2; reversed and released)

Bray v. State, 531 S.W.2d 633 (1977) (burglary with intent to rape, burglary + 1; reversed and remanded for a new trial on the third offense and as a two-time offender, but not as a three-time habitual offender)

Cullum v. State, 576 S.W.2d 87 (1979) (aggravated robbery + 2; reversed and remanded for a new trial, with a life sentence still possible)

Dowden v. State, 537 S.W.2d 5 (1977) (aggravated robbery + 2; reversed and remanded for a new trial, with a life sentence still possible)

Dubose v. State, 531 S.W.2d 330 (1975) (robbery + 2; reversed and remanded for a new trial, with a life sentence still possible)

Gonzales v. State, 578 S.W.2d 736 (1979) (aggravated robbery + 2; reversed and remanded for a new trial, with a life sentence still possible)

Harris v. State, 522 S.W.2d 199 (1975) (rape by force and threats + 2; reversed and remanded for a new trial, with a life sentence still possible)

Hickman v. State, 548 S.W.2d 736 (1977) (2 burglaries, aggravated robbery; reversed and remanded for a new trial, with a life sentence still possible)

Johnson v. State, 436 S.W.2d 906 (1968) (robbery with a firearm, 2 thefts, burglary of a home; reversed and resentenced for the third offense only, not as a habitual offender)

Millard, Ex parte, No. 61,495 (June 6, 1979) (aggravated robbery, attempted burglary with intent to commit theft + 1; reversed and remanded for a new trial on the third offense and as a two-time offender, but not as a three-time habitual offender)

Murchison, Ex parte, 560 S.W.2d 654 (1978) (marijuana possession, theft, assault with intent to rape; reversed and remanded for a new trial on the third offense without the habitual offender charge)

Perez v. State, No. 56,025 (Apr. 4, 1979) (aggravated robbery + 2; reversed and released)

III. 1 VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Richardson v. State, 390 S.W.2d 773 (1965) (robbery + 2; reversed and remanded for a new trial, with a life sentence still possible)

Rogers, Ex parte, 486 S.W.2d 786 (1972); 519 S.W.2d 861 (1975) (burglary, robbery by assault, theft; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Steese, Ex parte, 459 S.W.2d 850 (1970) (robbery by assault, burglary, swindling; reversed and remanded for a new trial on the third offense without the habitual offender charge)

Wagoner v. State, 434 S.W.2d 868 (1968) (2 burglaries, robbery; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Walton v. State, 575 S.W.2d 25 (1978) (robbery with bodily injury + 2; reversed and remanded for a new trial, with a life sentence still possible)

IV. 3 OR MORE SEMI-VIOLENT OFFENSES

A. Affirmed on Appeal (35 cases)

Auten, Ex parte, 447 S.W.2d 159 (1969); 458 S.W.2d 466 (1970) (attempted burglary, 2 burglaries)

Barnes v. State, 513 S.W.2d 850 (1974) (auto theft, 2 burglaries)

Brown v. State, 413 S.W.2d 922 (1967) (breaking and entering a motor vehicle with intent to commit theft, 2 burglaries)

Burton v. State, 493 S.W.2d 837 (1973) (burglary with intent to commit theft, burglary, attempted burglary)

Cadena v. State, 504 S.W.2d 910 (1974) (attempted burglary, 5 burglaries, theft)

Clark v. State, 500 S.W.2d 107 (1973) (3 burglaries)

Clark v. State, 424 S.W.2d 445 (1968) (3 burglaries)

Cooper v. State, 500 S.W.2d 837 (1974) (3 burglaries with intent to commit theft)

Dora, Ex parte, 477 S.W.2d 20 (1972) (3 burglaries)

Gates v. State, 471 S.W.2d 857 (1971) (3 burglaries)

Haines v. State, 391 S.W. 2d 58 (1965) (3 burglaries + 1)

Hathorne v. State, 459 S.W.2d 826 (1970), cert. denied, 402 U.S. 914 (1977) (burglary with intent to commit theft, 2 burglaries)

Hendrick v. State, 488 S.W.2d 814 (1972) (3 burglaries)

Hollins v. State, 571 S.W.2d 873 (1978) (burglary of a building, theft, breaking and entering a motor vehicle with intent to commit theft, attempted burglary)

IV. 3 OR MORE SEMI-VIOLENT OFFENSES (cont.)

Joshlin v. State, 488 S.W.2d 773 (1972) (3 auto thefts)

Juarez v. State, 496 S.W.2d 638 (1973) (3 burglaries)

LeBlanc v. State, 424 S.W.2d 434 (1968) (3 burglaries)

Lee v. State, 400 S.W.2d 909 (1966) (3 burglaries)

Mack v. State, 480 S.W.2d 195 (1972) (3 burglaries)

Mullins v. State, 409 S.W.2d 869 (1966) (3 burglaries + 13)

Powell v. State, 475 S.W.2d 934 (1972) (3 burglaries with intent to commit theft)

Prodon v. State, 555 S.W.2d 451 (1977) (attempted burglary, 2 burglaries)

Rascon v. State, 496 S.W.2d 99 (1973) (2 burglaries, passing a counterfeit note, mail theft, 4 shopliftings)

Rodriguez v. State, 419 S.W.2d 372 (1967) (burglary, 2 burglaries with intent to commit theft)

Roper v. State, 558 S.W.2d 482 (1977) (burglary with intent to commit theft, 4 burglaries, 4 thefts + 1)

St. Jules v. State, 438 S.W.2d 568 (1969) (3 burglaries)

Sims v. State, 388 S.W.2d 714 (1965) (3 burglaries)

Stauts, Ex parte, 482 S.W.2d 638 (1972) (5 burglaries)

Wesley v. State, 388 S.W.2d 431 (1965) (2 burglaries, 1 attempted burglary)

Wheat v. State, 442 S.W.2d 363 (1969) (burglary with intent to commit theft, 2 burglaries)

Williams v. State, 504 S.W.2d 477 (1974) (11 burglaries, theft)

Williams v. State, 476 S.W.2d 698 (1972) (3 burglaries with intent to commit theft)

Williams v. State, 463 S.W.2d 15 (1971) (3 burglaries)

Woodard, Ex parte, 541 S.W.2d 187 (1976) (burglary, 2 driving while intoxicateds, embezzlement)

Young v. State, 488 S.W.2d 820 (1972) (attempted burglary, 2 burglaries)

B. Reversed on Appeal (8 cases)

Bryan, Ex parte, 442 S.W.2d 371 (1968) (3 burglaries; reversed and remanded for a new trial, with a life sentence still possible)

Holcombe v. State, 424 S.W.2d 635 (1968) (3 burglaries; reversed and remanded for a new trial, with a life sentence still possible)

IV. 3 OR MORE SEMI-VIOLENT OFFENSES (cont.)

Jackson v. State, 449 S.W.2d 279 (1970) (3 burglaries; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Lee v. State, 555 S.W.2d 121 (1977) (3 attempted burglaries; reversed and remanded for a new trial, with a life sentence still possible)

McCarter v. State, 438 S.W.2d 575 (1969) (3 burglaries; reversed and remanded for a new trial, with a life sentence still possible)

Rounsavall v. State, 480 S.W.2d 696 (1972) (3 burglaries; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Scott v. State, 553 S.W.2d 361 (1977) (3 burglaries with intent to commit theft; reversed and remanded for resentencing, with a life sentence still possible)

Shivers, Ex parte, 501 S.W.2d 898 (1973) (burglary with intent to commit theft, 2 burglaries; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

V. 2 SEMI-VIOLENT OFFENSES, AT LEAST 1 OTHER

A. Affirmed on Appeal (29 cases)

Anderson v. State, 401 S.W.2d 612 (1966) (auto theft, theft, burglary)

Blanton v. State, 426 S.W.2d 871 (1968) (2 burglaries, receiving and concealing stolen property)

Casey v. State, 475 S.W.2d 920 (1972) (theft from a person, theft, breaking and entering a motor vehicle with intent to commit theft)

Castaneda v. State, 491 S.W.2d 885 (1973) (burglary of a private residence at night with intent to commit theft, burglary with intent to commit theft + 1)

Davis v. State, 429 S.W.2d 895 (1968), cert. denied, 393 U.S. 1096 (1969); 398 S.W.2d 940 (1966) (receiving and concealing stolen property, 2 driving while intoxicateds + 1)

Dollar v. State, 418 S.W.2d 689 (1967) (breaking and entering a motor vehicle with intent to commit theft, burglary, theft)

Espinosa v. State, 463 S.W.2d 8 (1971) (burglary with intent to commit theft, forgery, burglary)

Fletcher v. State, 442 S.W.2d 705 (1969); 396 S.W.2d 393 (1965) (2 burglaries, theft)

Florez v. State, 479 S.W.2d 683 (1972) (forgery, burglary, theft from a person)

Garay v. State, 389 S.W.2d 952 (1965) (2 burglaries, theft)

Garcia v. State, 513 S.W.2d 559 (1974) (2 burglaries, theft)

V. 2 SEMI-VIOLENT OFFENSES, AT LEAST 1 OTHER (cont.)

Herrera v. State, 493 S.W.2d 809 (1973); 462 S.W.2d 597 (1971) (heroin possession, 2 burglaries)

Jones v. State, 482 S.W.2d 634 (1972) (breaking and entering a motor vehicle with intent to commit theft, unlawful entry into a motor vehicle with intent to commit theft, theft)

Kessler v. State, 514 S.W.2d 260 (1974) (2 burglaries with intent to commit theft, theft)

Langer v. State, 489 S.W.2d 926 (1973); 343 S.W.2d 463 (pandering, 2 burglaries)

McClain v. State, 493 S.W.2d 528 (1973); 505 S.W.2d 825 (1974) (shoplifting, burglary of a coin-operated machine, burglary, theft + 2)

Mistrot v. State, 471 S.W.2d 831 (1971) (marijuana sale, 2 breaking and entering a coin-operated machine)

Norris v. State, 488 S.W.2d 84 (1972) (2 burglaries, theft)

Plessinger v. State, 536 S.W.2d 380 (1976) (2 burglaries with intent to commit theft + 1)

Richardson v. State, 432 S.W.2d 100 (1968) (2 burglaries, theft)

Salazar v. State, 492 S.W.2d 494 (1973) (heroin possession, 2 burglaries)

Scott, Ex parte, 485 S.W.2d 921 (1972) (2 burglaries + 1)

Shapley, Ex parte, 458 S.W.2d 687 (1970) (theft, 2 burglaries)

Shivers v. State, 574 S.W.2d 147 (1978); 460 S.W.2d 915 (1970) (burglary with intent to commit theft, burglary, heroin possession)

Smith v. State, 486 S.W.2d 374 (1972) (shoplifting, 2 burglaries)

Stevenson v. State, 395 S.W.2d 626 (1965) (theft, burglary, grand larceny)

Tristan v. State, 510 S.W.2d 329 (1974) (2 burglaries with intent to commit theft, heroin sale)

Vestal, Ex parte, 402 S.W.2d 195 (1966); 468 S.W.2d 372 (1971) (theft, 2 driving while intoxicateds + 1)

Villareal v. State, 468 S.W.2d 837 (1971) (burglary with intent to commit theft, theft, burglary)

B. Reversed on Appeal (8 cases)

Andrews v. State, 407 S.W.2d 507 (1966) (marijuana, 2 burglaries; reversed and remanded for resentencing, with a life sentence still possible)

Bird, Ex parte, 449 S.W.2d 41 (1970); 457 S.W.2d 559 (1970) (2 burglaries with intent to commit theft, child desertion; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

V. 2 SEMI-VIOLENT OFFENSES, AT LEAST 1 OTHER (cont.)

Bowie v. State, 401 S.W.2d 829 (1966) (2 burglaries, theft; reversed and remanded for resentencing, with a life sentence still possible)

Doddy v. State, 493 S.W.2d 787 (1973) (2 burglaries, theft; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

Garner v. State, 552 S.W.2d 809 (1977) (forgery, 2 burglaries; reversed and remanded for a new trial, with a life sentence still possible)

Jones v. State, 422 S.W.2d 183 (1967) (attempted burglary, burglary, forgery; reversed and remanded for a new trial, with a life sentence still possible)

Posey, Ex parte, 456 S.W.2d 140 (1970) (cattle theft, burglary + 1; reversed and released)

Webster, Ex parte, 497 S.W.2d 305 (1973) (2 thefts, 2 driving while intoxicated; reversed and released)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS

A. Affirmed on Appeal (84 cases)

Allen v. State, 451 S.W.2d 484 (1970) (burglary with intent to commit theft, theft + 1)

Baity v. State, 455 S.W.2d 305 (1970), cert. denied, 400 U.S. 918 (1970) (burglary + 2)

Beasley v. State, 389 S.W.2d 299 (1965), cert. denied, 382 U.S. 990 (1966) (burglary + 2)

Bennett v. State, 455 S.W.2d 239 (1970) (attempted burglary + 2)

Blaine, Ex parte, 472 S.W.2d 514 (1973) (burglary, forgery + 1)

Blakenship v. State, 432 S.W.2d 945 (1968) (burglary + 2)

Broussard v. State, 505 S.W.2d 282 (1974) (attempted burglary + 2)

Byrd v. State, 491 S.W.2d 440 (1973) (burglary with intent to commit theft + 2)

Carter v. State, 487 S.W.2d 361 (1972) (burglary + 2)

Carter v. State, 408 S.W.2d 507 (1966) (theft from a person + 2)

Castillo v. State, 494 S.W.2d 844 (1973) (burglary + 2)

Childress v. State, 472 S.W.2d 133 (1972) (burglary, narcotics possession, forgery)

Clark v. State, 493 S.W.2d 512 (1973) (burglary + 2)

Cleveland v. State, 493 S.W.2d 145 (1973) (narcotics sale, burglary, marijuana possession)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Coleman State, 451 S.W.2d 911 (1970) (burglary + 2)

Coursey v. State, 457 S.W.2d 565 (1970) (burglary + 2)

Denman v. State, 425 S.W.2d 361 (1968) (burglary + 2)

Engle, Ex parte, 418 S.W.2d 671 (1967) (burglary with intent to commit theft + 4)

Finch v. State, 399 S.W.2d 544 (1966) (burglary + 2)

Flores v. State, 472 S.W.2d 146 (1971) (attempted burglary + 2)

Franklin v. State, 457 S.W.2d 53 (1970) (burglary with intent to commit theft + 2)

Gaines v. State, 501 S.W.2d 315 (1974) (auto theft + 2)

Gardner v. State, 486 S.W.2d 805 (1972) (burglary, forgery + 1)

Gordon, Ex parte, 439 S.W.2d 354 (1969) (burglary + 2)

Green v. State, 542 S.W.2d 416 (1977); 437 S.W.2d 859 (1969) (burglary, bad check + 1)

Greer, Ex parte, 408 S.W.2d 711 (1966) (burglary + 2)

Grissam v. State, 403 S.W.2d 414 (1966) (burglary + 2)

Hall v. State, 475 S.W.2d 778 (1972) (burglary with intent to commit theft + 2)

Hall v. State, 450 S.W.2d 90 (1969) (burglary with intent to commit theft + 2)

Hamilton v. State, 397 S.W.2d 225 (1965) (2 forgeries, burglary)

Harris v. State, 471 S.W.2d 390 (1971) (attempted burglary + 2)

Harvey v. State, 485 S.W.2d 907 (1972) (breaking and entering a coin-operated machine, theft, marijuana possession)

Head v. State, 419 S.W.2d 375 (1967) (burglary with intent to commit theft, forgery + 1)

Hendrix v. State, 474 S.W.2d 230 (1971) (burglary with intent to commit theft + 2)

Heredia v. State, 528 S.W.2d 847 (1975) (burglary, forgery + 1)

Hill v. State, 429 S.W.2d 481 (1968) (auto theft + 2)

Holcombe v. State, 448 S.W.2d 493 (1970) (burglary + 2)

Joshlin v. State, 491 S.W.2d 423 (1973) (breaking and entering a motor vehicle with intent to commit theft + 2)

Kendrick v. State, 466 S.W.2d 778 (1971) (breaking and entering a motor vehicle with intent to commit theft + 2)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Landrum v. State, 456 S.W.2d 914 (1970) (burglary with intent to commit theft + 2)

Leopard, Ex parte, 520 S.W.2d 759 (1975) (burglary with intent to commit theft + 2)

Little v. State, 567 S.W.2d 502 (1978) (burglary of a building + 3)

Longoria v. State, 507 S.W.2d 753 (1974) (burglary + 2)

Lujan v. State, 452 S.W.2d 917 (1970) (heroin possession, narcotics possession, burglary)

Martin v. State, 492 S.W.2d 471 (1973) (burglary + 2)

Mauldin v. State, 473 S.W.2d 935 (1971) (burglary + 2)

McCardell v. State, 557 S.W.2d 289 (1977) (burglary + 2)

Mills v. State, 417 S.W.2d 69 (1967); 508 S.W.2d 823 (1974) (theft, attempted burglary + 1)

Morgan v. State, 507 S.W.2d 538 (1974) (burglary, 2 thefts)

Morgan v. State, 503 S.W.2d 770 (1974) (burglary + 2)

Norris v. State, 482 S.W.2d 280 (1972) (burglary with intent to commit theft + 2)

Ojeda v. State, 428 S.W.2d 811 (1968) (burglary, narcotics violation + 1)

Pierce v. State, 401 S.W.2d 238 (1966) (burglary + 2)

Puentes v. State, 463 S.W.2d 730 (1971) (burglary with intent to commit theft + 2)

Reed v. State, 481 S.W.2d 814 (1972) (burglary + 2)

Reyes v. State, 579 S.W.2d 927 (1979) (burglary of a building + 2)

Roberts v. State, 483 S.W.2d 266 (1972) (burglary with intent to commit theft + 2)

Rodriguez, Ex parte, 560 S.W.2d 94 (1978) (burglary of a home, 2 heroin possessions)

Samora v. State, 474 S.W.2d 242 (1972) (burglary + 2)

Sanchez v. State, 452 S.W.2d 474 (1970) (burglary with intent to commit theft + 2)

Schafer v. State, 436 S.W.2d 352 (1968) (burglary + 2)

Silva v. State, 499 S.W.2d 147 (1973) (burglary + 2)

Simmons v. State, 493 S.W.2d 937 (1973) (forgery, theft, burglary)

Smith v. State, 502 S.W.2d 133 (1974) (auto theft + 2)

Stoneham v. State, 389 S.W.2d 468 (1965), cert. denied, 386 U.S. 928 (1967) (burglary + 2)

TABLE 1 (cont.)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Stovall v. State, 480 S.W.2d 223 (1972) (burglary with intent to commit theft + 2)

Sumrell v. State, 436 S.W.2d 544 (1968) (theft from a person + 2)

Sutton v. State, 519 S.W.2d 422 (1975) (burglary with intent to commit theft, forgery + 1)

Thomas v. State, 543 S.W.2d 645 (1976) (burglary + 2)

Thomas v. State, 387 S.W.2d 665 (1965) (burglary + 2)

Thrasher v. State, 450 S.W.2d 69 (1970) (burglary with intent to commit theft + 2)

Tinney v. State, 578 S.W.2d 137 (1979) (burglary + 2)

Turner v. State, 409 S.W.2d 400 (1966) (burglary with intent to commit theft + 2)

Tyra v. State, 548 S.W.2d 912 (1977); 534 S.W.2d 695 (1976) (fondling a child + 2)

Viera v. State, 493 S.W.2d 160 (1973) (burglary + 2)

Walters v. State, 491 S.W.2d 685 (1973) (burglary + 2)

Welch v. State, 392 S.W.2d 139 (1965) (attempted burglary + 2)

White v. State, 517 S.W.2d 543 (1974), cert. denied, 386 U.S. 1014 (1975) (heroin sale, burglary + 1)

White v. State, 500 S.W.2d 529 (1973) (burglary + 4)

White v. State, 410 S.W.2d 440 (1966) (attempted burglary + 2)

Williams v. State, 544 S.W.2d 428 (1976) (attempted burglary + 2)

Williams v. State, 537 S.W.2d 936 (1976) (burglary + 2)

Young v. State, 573 S.W.2d 817 (1978) (burglary of a building with intent to commit theft + 2)

Young v. State, 552 S.W.2d 441 (1977) (burglary, 2 heroin possessions)

B. Reversed on Appeal (22 cases)

Bevill v. State, 573 S.W.2d 781 (1978) (burglary of a building + 2; reversed and remanded for a new trial, with a life sentence still possible)

Bullard v. State, 533 S.W.2d 812 (1976) (theft, burglary, forgery; reversed and remanded for resentencing, with a life sentence still possible)

Campbell, Ex parte, 494 S.W.2d 842 (1973) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

TABLE 1 (cont.)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Chaney v. State, 494 S.W.2d 813 (1973) (amphetamine sale, forgery, burglary; reversed and remanded for a new trial, with a life sentence still possible)

Columbus, Ex parte, 489 S.W.2d 562 (1973) (burglary with intent to commit theft + 2; reversed and remanded for a new trial with a life sentence still possible)

Copee, Ex parte, 493 S.W.2d 810 (1973) (2 thefts, auto theft; reversed and remanded for a new trial on the third offense without the habitual offender charge)

Day v. State, 534 S.W.2d 681 (1976) (burglary + 2; reversed and released or reversed and remanded for a new trial, with a life sentence still possible)

Dues v. State, 456 S.W.2d 116 (1970) (burglary with intent to commit theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

Escobar v. State, 578 S.W.2d 139 (1979) (burglary + 2; reversed and released)

Foster v. State, 497 S.W.2d 291 (1973) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

Gorton, Ex parte, 564 S.W.2d 766 (1978) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

Hayter v. State, 541 S.W.2d 435 (1977) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

Henson v. State, 530 S.W.2d 584 (1975) (burglary + 2; reversed and remanded for resentencing, with a life sentence still possible)

Heredia v. State, 468 S.W.2d 833 (1971); 508 S.W.2d 629 (2 heroin possessions, burglary with intent to commit theft; reversed and remanded for a new trial, with a life sentence still possible)

Hutchinson v. State, 481 S.W.2d 881 (1972) (burglary with intent to commit theft, forgery, theft; reversed and resentenced as a two-time offender, but not as a three-time habitual offender)

McCloud v. State, 527 S.W.2d 885 (1975) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

McDonald, Ex parte, 469 S.W.2d 173 (1971) (2 thefts, burglary; reversed and released)

Pugh, Ex parte, 465 S.W.2d 946 (1971) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

Resendez v. State, 495 S.W.2d 934 (1973); 523 S.W.2d 700 (1975) (burglary of a private residence at night + 3; reversed and remanded for a new trial, with a life sentence still possible)

VI. 1 SEMI-VIOLENT OFFENSE, AT LEAST 2 OTHERS (cont.)

Smith v. State, 507 S.W.2d 779 (1974) (burglary + 2; reversed and remanded for a new trial, with a life sentence still possible)

Smith v. State, 501 S.W.2d 657 (1974) (auto theft by a bailee + 2; reversed and remanded for a new trial, with a life sentence still possible)

Townsend v. State, 427 S.W.2d 55 (1968) (burglary with intent to commit theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

VII. 2 OR MORE DRUG OFFENSES

A. Affirmed on Appeal (4 cases)

Aranda v. State, 506 S.W.2d 221 (1974) (marijuana possession, heroin possession + 1)

Arce v. State, 552 S.W.2d 163 (1977) (2 heroin possessions, heroin sale + 1)

Armendariz v. State, 529 S.W.2d 525 (1975) (hard narcotics paraphernalia possession, heroin possession + 1)

Browne v. State, 542 S.W.2d 143 (1976) (heroin possession, LSD possession + 1)

B. Reversed on Appeal (3 case)

Giacona, Ex parte, 397 S.W.2d 863 (1965); 518 S.W.2d 832 (1965) (3 marijuana possessions)

White v. State, 486 S.W.2d 377 (1972) (heroin possession, narcotics paraphernalia possession + 1)

Taylor, Ex parte, 484 S.W.2d 748 (1972) (narcotics possession, forgery, nonpayment of marijuana transfer tax; reversed and remanded for a new trial on the third offense without the habitual offender charge)

VIII. 1 DRUG OFFENSE, AT LEAST 2 OTHERS

A. Affirmed on Appeal

1. Heroin (20 cases)

Arechiga v. State, 462 S.W.2d 1 (1971) (heroin possession + 2)

Britton v. State, 578 S.W.2d 685 (1978) (heroin possession + 2)

Chaney v. State, 474 S.W.2d 711 (1972); 477 S.W.2d 580 (1972) (theft, heroin possession + 1)

Cherry v. State, 479 S.W.2d 924 (1972) (heroin possession + 2)

Coleman v. State, 481 S.W.2d 872 (1972) (heroin sale + 2)

VIII. 1 DRUG OFFENSE, AT LEAST 2 OTHERS (cont.)

Davis. v. State, 504 S.W.2d 908 (1974) (heroin sale + 3)
 Evans v. State, 456 S.W.2d 911 (1970) (heroin possession + 2)
 Fuentes v. State, 491 S.W.2d 419 (1973) (heroin sale + 3)
 Gomez v. State, 461 S.W.2d 422 (1970) (heroin possession + 2)
 Gomez v. State, 470 S.W.2d 871 (1971) (heroin possession + 2)
 Gonzales v. State, 500 S.W.2d 154 (1973) (heroin sale + 2)
 Hernandez v. State, 530 S.W.2d 563 (1975) (heroin delivery + 2)
 Montgomery v. State, 506 S.W.2d 623 (1974) (heroin sale + 2)
 O'Quinn v. State, 462 S.W.2d 583 (1970) (heroin possession + 2)
 Perez v. State, 495 S.W.2d 242 (1973) (heroin sale + 2)
 Reeves v. State, 500 S.W.2d 648 (1973) (heroin possession + 10)
 Rodriguez v. State, 530 S.W.2d 944 (1977) (heroin delivery + 2)
 Sanchez v. State, 468 S.W.2d 814 (1971) (heroin sale + 2)
 Sigard v. State, 537 S.W.2d 736 (1976) (heroin sale + 2)
 Torres v. State, 552 S.W.2d 821 (1977) (heroin possession + 2)

2. Unidentified Narcotics (3 cases)

Capuchino v. State, 389 S.W.2d 296 (1965), cert. denied, 386 U.S. 928 (1967) (narcotics paraphernalia possession + 2)
 Rios v. State, 557 S.W.2d 87 (1977) (narcotics delivery, theft + 1)
 Thomas v. State, 468 S.W.2d 418 (1971) (theft, narcotics possession + 1)

3. Marijuana (2 cases)

Carvahal v. State, 529 S.W.2d 517 (1975), cert. denied, 424 U.S. 926 (1976) (marijuana possession + 2)
 Finklea v. State, 481 S.W.2d 889 (1972) (marijuana possession + 2)

B. Reversed on Appeal (1 case)

Hernandez v. State, 563 S.W.2d 947 (1978) (heroin delivery + 2; reversed and remanded for a new trial, with a life sentence still possible)

IX. 1 OR MORE SEX OFFENSES

A. Affirmed on Appeal (5 cases)

Almand v. State, 536 S.W. 2d 377 (1976) (indecent exposure to a minor, aggravated crime against nature + 1)
 Bowles v. State, 550 S.W.2d 84 (1977) (indecent exposure to a minor, indecent exposure + 1)
 Carter v. State, 461 S.W.2d 620 (1970) (indecent exposure to a minor + 3)
 Fobbs v. State, 468 S.W.2d 392 (1971) (indecent exposure to a minor + 2)
 Hill v. State, 480 S.W.2d 670 (1972) (incest + 2)

B. Reversed on Appeal (1 case)

Komurke v. State, 562 S.W.2d 230 (1978) (sodomy + 2; reversed and remanded for resentencing, with a life sentence still possible)

X. 1 NONVIOLENT OFFENSE, AT LEAST 2 UNKNOWN OFFENSES

A. Affirmed on Appeal (21 cases)

Alexander v. State, 456 S.W.2d 120 (1970) (theft + 2)
 Brown v. State, 443 S.W.2d 261 (1969) (theft + 2)
 Burks v. State, 432 S.W.2d 925 (1968) (forgery + 3)
 Castanuela v. State, 435 S.W.2d 146 (1968) (forgery + 3)
 Castillo v. State, 469 S.W.2d 572 (1971) (theft + 2)
 Cedargreen v. State, 432 S.W.2d 524 (1968) (forgery + 2)
 Cole v. State, 475 S.W.2d 263 (1971) (theft + 3)
 Curtis v. State, 500 S.W.2d 478 (1973) (shoplifting + 2)
 Knox v. State, 400 S.W.2d 750 (1966) (theft + 2)
 Masters v. State, 437 S.W.2d 868 (1969) (theft + 2)
 McCarty v. State, 498 S.W.2d 212 (1973) (forgery + 2)
 Mitchell v. State, 494 S.W.2d 865 (1973), cert. denied, 414 U.S. 1163 (1974) (theft + 2)
 Nichols v. State, 474 S.W.2d 205 (1971) (theft + 2)
 Prodan v. State, 574 S.W.2d 100 (1978) (credit card abuse + 2)
 Query v. State, 485 S.W.2d 924 (1972) (theft + 2)
 Scallion v. State, 433 S.W.2d 438 (1968) (forgery + 2)

X. 1 NONVIOLENT OFFENSE, AT LEAST 2 UNKNOWN OFFENSES (cont.)

Shaver v. State, 496 S.W.2d 604 (1973) (shoplifting + 2)
Speights v. State, 499 S.W.2d 119 (1973) (theft + 2)
Tinsley v. State, 461 S.W.2d 605 (1970) (theft + 2)
Vandall v. State, 438 S.W.2d 578 (1969) (forgery + 2)
Young v. State, 401 S.W.2d 599 (1966) (theft + 2)

B. Reversed on Appeal (9 cases)

Anaya v. State, 507 S.W.2d 561 (1974) (theft + 2; reversed and resentenced for the third offense only, not as a habitual offender)

Carter v. State, 510 S.W.2d 323 (1974) (embezzlement + 2; reversed and remanded for a new trial, with a life sentence still possible)

Cross, Ex parte, 427 S.W.2d 64 (1968) (theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

Nash, Ex parte, 389 S.W.2d 957 (1965) (swindling + 2; reversed and remanded for a new trial on the third offense without the habitual offender charge)

Pool v. State, 528 S.W.2d 255 (1975) (theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

Swinney, Ex parte, 499 S.W.2d 101 (1973) (theft + 2; reversed and released)

Teagle, Ex parte, 420 S.W.2d 612 (1967) (theft + 2; reversed and released)

Washington, Ex parte, 442 S.W.2d 391 (1969) (theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

Young, Ex parte, 517 S.W.2d 288 (1974) (theft + 2; reversed and remanded for a new trial, with a life sentence still possible)

XI. 2 NONVIOLENT OFFENSES, AT LEAST 1 UNKNOWN OFFENSE

A. Affirmed on Appeal (5 cases)

Loud v. State, 499 S.W.2d 295 (1973) (2 thefts + 1)
Olson v. State, 394 S.W.2d 511 (1965); 484 S.W.2d 756 (1969) (2 forgeries + 8)
Passmore v. State, 544 S.W.2d 399 (1976) (counterfeiting a driver's license, theft + 1)
Pendleton v. State, 434 S.W.2d 694 (1968) (2 forgeries + 1)
Schultz v. State, 510 S.W.2d 940 (1974) (2 thefts + 1)

XI. 2 NONVIOLENT OFFENSES, AT LEAST 1 UNKNOWN OFFENSE (cont.)

B. Reversed on Appeal (3 cases)

Hill, Ex parte, 417 S.W.2d 404 (1967) (forgery, theft + 1; reversed and released)

Kellison, Ex parte, 422 S.W.2d 729 (1968) (2 forgeries + 1; reversed and released)

Walters, Ex parte, 431 S.W.2d 552 (1968) (2 thefts + 1; reversed and released)

XII. 3 OR MORE NONVIOLENT OFFENSES (8 cases)

Branch v. State, 445 S.W.2d 756 (1969) (3 thefts)

Culbert v. State, 415 S.W.2d 646 (1966) (3 thefts)

Guyton v. State, 472 S.W.2d 130 (1971) (3 forgeries)

Morgan v. State, 435 S.W.2d 862 (1968) (3 thefts)

Mulchahey v. State, 547 S.W.2d 112 (1978) (5 thefts)

Tawater v. State, 408 S.W.2d 122 (1966) (2 thefts, embezzlement)

Wilburn v. State, 418 S.W.2d 832 (1967) (3 thefts)

Woods v. State, 394 S.W.2d 513 (1965) (2 thefts, shoplifting)

FELONIES IN TEXAS,
BY CATEGORY

I. CAPITAL FELONIES

Punishment: death or life sentence, P.C. § 19.03

<u>Penal Code §</u>	<u>Offense</u>
19.03	<u>Capital murder, i.e., murder</u> (1) for pay; (2) of a policeman, fireman, or prison guard acting on official duties; (3) while attempting to escape from prison; or (4) committed in the course of attempting to commit kidnapping, burglary, robbery, aggravated rape, or arson

II. FIRST-DEGREE FELONIES

Punishment: 5-99 years, P.C. § 12.32

15.01	<u>Attempt</u> to commit a capital felony
15.02	<u>Conspiracy</u> to commit a capital felony
15.03	<u>Solicitation</u> to commit a capital felony
19.02	<u>Murder</u>
20.04	<u>Aggravated kidnapping</u>
21.03	<u>Aggravated rape</u>
21.05	<u>Aggravated sexual abuse</u>
22.03	<u>Deadly assault on a peace officer</u>
28.02	<u>Arson causing bodily injury less than death</u>
29.03	<u>Aggravated robbery</u>
30.02	<u>Burglary:</u> (1) of a habitation; (2) if any party is armed with explosives or a deadly weapon; or (3) if any of the offenders injures or attempts to injure anyone while effecting entry or in flight

C.S. § 1/

- 4.02(b) & Manufacture, delivery, or possession with intent
4.03(a) & to manufacture or deliver of a specified controlled
(b)(1) substance, including heroin, opium, lysergic acid diethylamide ("LSD"), certain amphetamines, morphine, cocaine, codeine, and methadone

1/ Controlled Substances Act, 1973 Tex. Gen. Laws, ch. 429, at 1132, as amended, Tex. Rev. Civ. Stat. Ann. art. 4476-15 (Supp. 1978).

III. SECOND-DEGREE FELONIES

Punishment: 2-20 years, P.C. § 12.33

<u>Penal Code §</u>	<u>Offense</u>
15.01	<u>Attempt</u> to commit a first-degree felony
15.02	<u>Conspiracy</u> to commit a first-degree felony
15.03	<u>Solicitation</u> to commit a first-degree felony
19.04	<u>Voluntary manslaughter</u>
20.04	<u>Aggravated kidnapping</u> if the victim is released voluntarily, alive, and in a safe place
21.02	<u>Rape</u>
21.04	<u>Sexual abuse</u>
21.09	<u>Rape of a child</u> under 17
21.10	<u>Sexual abuse of a child</u>
22.04	<u>Injury to a child</u>
28.02	<u>Arson</u> not causing bodily injury
28.03	<u>Criminal mischief</u> if the pecuniary loss exceeds \$10,000
29.02	<u>Robbery</u>
30.02	<u>Burglary</u>
31.03	<u>Theft of property</u> worth more than \$10,000
31.04	<u>Theft of service</u> worth more than \$10,000
32.21	<u>Forgery</u> of (1) an instrument issued by any governmental entity or (2) stocks, bonds, or other instruments representing claims against others
32.45	<u>Misapplication of fiduciary property</u> or property of a financial institution worth more than \$10,000
36.02	<u>Bribery</u> of or acceptance of a bribe by a public servant, party official, or voter
38.07	<u>Escape using a deadly weapon</u> by an inmate or one charged with or convicted of a felony
38.10	<u>Giving an inmate a deadly weapon</u> to facilitate an escape
43.05	<u>Compelling prostitution</u>
46.06	<u>Possession of certain weapons, i.e.,</u> (1) an explosive weapon, (2) a machine gun, (3) a short-barrel firearm, or (4) a firearm silencer

III. SECOND DEGREE FELONIES (cont.)

C.S. §

- 4.02(b) & Possession of a specified controlled substance,
 4.04(a) & including heroin, opium, LSD, certain amphetamines,
 (b)(1) morphine, cocaine, codeine, and methadone
- 3.08 & Refusal to follow statutory procedures by a person
 4.08 licensed to work with controlled substances,
 including:
 (1) distribution of a controlled substance
except according to statutory procedures,
 (2) failure to maintain statutorily required
information, or
 (3) refusal of entry for a statutorily authorized
inspection
- 3.07 & Designated fraudulent acts with respect to
 4.09(a) & specified controlled substances, including heroin,
 (b)(1) opium, LSD, mescaline, peyote, morphine, psilocybin,
 codeine, marijuana, and methadone

IV. THIRD-DEGREE FELONIES

Punishment: 2-10 years, P.C. § 12.34

- 15.01 Attempt to commit a second-degree felony
- 15.02 Conspiracy to commit a second-degree felony
- 16.01 Possession of a criminal instrument with
 intent to use it in committing an offense
- 19.05 Involuntary manslaughter
- 20.02 False imprisonment if the defendant recklessly
 exposes the victim to a substantial risk of
 serious bodily injury
- 20.03 Kidnapping
- 21.11 Indecency with a child
- 22.02 Aggravated assault
- 25.01 Bigamy
- 25.02 Incest
- 25.03 Interference with child custody
- 25.05 Criminal nonsupport of a minor child or needy
 spouse if the defendant
 (1) has a prior conviction for criminal non-
 support or
 (2) commits the offense while residing in another
 state

IV. THIRD-DEGREE FELONIES (cont.)

- | Penal
Code § | Offense |
|-----------------|---|
| 28.03 | <u>Criminal mischief</u>
(1) if the pecuniary loss is greater than \$200
but less than \$10,000;
(2) regardless of pecuniary damage if
(a) one causes the impairment or interrup-
tion of public communication, transpor-
tation, water, gas, power, or other
public service;
(b) the property damaged was a fence used
for production of cattle, horses, sheep,
swine, or goats; or
(c) damage was inflicted by branding one or
more head of cattle, horses, sheep,
swine, or goats |
| 30.04 | <u>Burglary of a vehicle</u> |
| 31.03 | <u>Theft</u>
(1) of property worth more than \$200 but less
than \$10,000;
(2) of one or more head of cattle, horses, sheep,
swine, or goats;
(3) from a person, a human corpse, or a grave; or
(4) of property worth less than \$200 if the
defendant has two prior theft convictions |
| 31.04 | <u>Theft of service</u> worth more than \$200 but less
than \$10,000 |
| 31.05 | <u>Theft of trade secrets</u> |
| 31.07 | <u>Unauthorized use of a vehicle</u> |
| 32.21 | <u>Forgery</u> of a will, codicil, deed, deed of trust,
mortgage, security instrument or agreement, credit
card, check or similar sight order for payment of
money, contract, release, or other commercial
instrument |
| 32.31 | <u>Credit card abuse</u> |
| 32.33 | <u>Hindering secured creditors</u> , i.e., removing prop-
erty from the state to hinder enforcement of a
security interest or lien |
| 32.43 | <u>Commercial bribery</u> |
| 32.44 | <u>Rigging a publicly exhibited contest</u> if the
defendant's conduct is in connection with betting
or wagering on the contest |
| 32.45 | <u>Misapplication of fiduciary property</u> or property
of a financial institution if the value of the
property is more than \$200 but less than \$10,000 |
| 32.46 | <u>Securing execution of a document by deception</u> |
| 32.47 | <u>Fraudulent destruction, removal or concealment</u> of
(1) <u>a will</u> or codicil of another; or
(2) <u>a commercial instrument</u> or other writing of
which the law requires public filing |

IV. THIRD-DEGREE FELONIES (cont.)

<u>Penal Code §</u>	<u>Offense</u>
36.03	<u>Coercion of a public servant or voter if the coercion is a threat to commit a felony</u>
36.05	<u>Tampering with a witness</u>
36.06	<u>Retaliation</u>
37.03	<u>Aggravated perjury</u>
37.10	<u>Tampering with governmental records if done with intent to harm another</u>
37.11	<u>Impersonating a peace officer</u>
38.03	<u>Resisting arrest or search using a deadly weapon</u>
38.07	<u>Escape by one charged with, under arrest for, or convicted of a felony or confined in a penal institution</u>
38.08	<u>Permitting or facilitating escape if</u> (1) the person in custody was charged with, under arrest for, or convicted of a felony or in a penal institution; or (2) if a deadly weapon was used
38.10	<u>Implements for escape, i.e., giving an inmate something useful for an escape</u>
38.11	<u>Bail jumping or failure to appear if the offense for which the appearance was needed is a felony</u>
39.01	<u>Official misconduct, i.e., misuse of government property by a public official who has access to that property by virtue of employment</u>
43.04	<u>Aggravated promotion of prostitution</u>
43.24	<u>Employing or using a minor to display or distribute obscene material to minors</u>
46.02	<u>Carrying weapons where liquor is sold</u>
46.05	<u>Possession of a firearm by a felon</u>
46.06	<u>Possession of a switchblade or knuckles</u>
47.03	<u>Gambling promotion</u>
47.04	<u>Keeping a gambling place</u>
47.05	<u>Communicating gambling information</u>
47.06	<u>Possession of gambling devices or equipment</u>

IV. THIRD-DEGREE FELONIES (cont.)

<u>C.S. §</u>	<u>Offense</u>
4.02(c) & 4.03(a) & (b)(2)	<u>Manufacture, delivery, or possession with intent to manufacture or deliver of a specified controlled substance, including certain amphetamines, mescaline, psilocybin, and T.H.C.</u>
4.02(d) & 4.03(a) & (b)(3)	<u>Manufacture, delivery, or possession with intent to manufacture or deliver of a specified controlled substance, including barbituates, peyote, phenobarbital, phencyclidine, and specified quantities of opium, morphine, and codeine</u>
4.02(c) & 4.04(a) & (b)(2)	<u>Possession of a specified controlled substance, including certain amphetamines, mescaline, psilocybin, and T.H.C.</u>
4.05 (b)(1)	<u>Possession of more than four ounces of marijuana</u>
4.05(d)	<u>Marijuana sale</u>
4.05(d)	<u>Delivery of more than one-fourth ounce of marijuana</u>
3.07 & 4.09(a) & (b)(2)	<u>Designated fraudulent acts with respect to specified barbituates</u>

/04/79

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Alabama	pre-1841		No habitual offender statute					
	1841	1841 Acts P.C. C.8, §17, p. 250	Prison offense	1	Prison offense		One and one-fourth prior sentence	Maximum
	1852	1852 Acts P.C. Pt.4, Tit.2, C.11, §3634, p. 638	Prison offense	1	Same offense		One and one-fourth prior sentence	Maximum
	05/23/77	1977 Acts No.639, p. 1088 & prior law	Prison offense	1	Same offense		One and one-fourth prior sentence	Maximum
			Specified violent felony	1	Violent felony within 5 years		Minimum without parole	Maximum without parole
	06/01/79	1977-78 Acts No.643, p. 1091; No.770, p. 1128 & prior law	Prison offense	1	Same offense		One and one-fourth prior sentence	Maximum
			Class B or C felony	1	Felony		Minimum for next highest felony category	Maximum for next highest felony category

TABLE 3

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
la. (cont.)			Specified violent felony	1	Felony resulting in physical injury within 5 years		Minimum without parole	Maximum without parole
			Class A felony	1	Felony		15 years	Life or 99 years
laska	pre-03/09/39		No habitual offender statute					
	03/09/39	1939 Acts C.53, §1-2, p. 138	Felony	1	Felony			Double Maximum
			Felony	2	Felony			Quadruple Maximum
			Petty larceny or fraudulent misdemeanor	3	Specified nonviolent offense		3 years	10 years
			Felony	3	Felony		Life	

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
as. (cont.)	01/01/63	1962 Acts C.34, §8.04-.05, p. 34	Felony	1	Felony			Double Maximum
			Felony	2	Felony			Quadruple Maximum
			Petty larceny or fraudulent misdemeanor	3	Specified nonviolent or semi-violent offense			10 years
			Felony	3	Felony		20 years	Life
	01/01/80	1978 Acts C.166, §15, 21, 12.55.125, 12.55.145, p. 110-118	Class C felony	1	Felony within 7 years		2 years without parole	5 years without parole for 2 years
			Class B felony	1	Felony within 7 years		4 years without parole	10 years without parole for 4 years
			Class A felony	1	Felony within 7 years		10 years without parole	20 years without parole for 10 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Alas. (cont.)			Class C felony	2	Felony within 7 years		3 years without parole	5 years without parole for 3 years
			Class B felony	2	Felony within 7 years		6 years without parole	10 years without parole for 6 years
			Class A felony	2	Felony within 7 years		10 years without parole	20 years without parole for 10 years
Arizona	pre-09/01/01		No habitual offender statute					
	09/01/01	1901 Acts P.C. Tit.18, §630-31, 635, p. 1298	Petty larceny or attempted prison offense w/ term at most 5 years	1	Prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ariz. (cont.)	10/25/13	1913 Acts P.C. Tit.20, §738, 742, p. 152	Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
			Petty larceny or attempted prison offense w/ term at most 5 years	1	Prison offense or petty larceny			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense or petty larceny			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense or petty larceny		10 years	Life
	03/28/51	1951 Acts C.110, p. 260	Sex off., petty larceny, attempt offense w/ term at most 5 years	1	Prison offense, petty larceny, or specified sex offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense, petty larceny, or specified sex offense			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense, petty larceny, or specified sex offense		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ariz. (cont.)	07/11/69	1969 Acts C.133, §9, p.399	Specified sex or nonviolent off. or attempt w/ term at most 5	1	Prison offense or specified nonviolent or sex offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense or specified nonviolent or sex offense			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense or specified nonviolent or sex offense		10 years	Life
	10/01/78	1977 Acts C.142, §36, 48; C.201, §98,101,105-06, p.714-21	Class 4, 5, or 6 felony	1	Felony within 10 years		Minimum without parole for one-half of sentence	Double maximum without parole for one-half of sentence
			Class 2 or 3 felony	1	Felony		Minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 4, 5, or 6 armed or violent felony	1	Armed or violent felony		Double minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 2 or 3 armed or violent felony	1	Class 2 or 3 armed or violent felony		Double minimum without parole for two-thirds of sentence	Quadruple maxi mum w/o parole for two-thirds of sentence

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
Ariz. (cont.)			Class 4, 5, or 6 felony	2	Felony		Double minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 2 or 3 felony	2	Felony		Double minimum without parole for two-thirds of sentence	Quadruple maximum w/o parole for two-thirds of sentence
			Class 4, 5, or 6 armed or violent felony	2	Armed or violent felony		Treble minimum without parole for two-thirds of sentence	Quadruple maximum w/o parole for two-thirds of sentence
			Class 2 or 3 armed or violent felony	2	Class 2 or 3 armed or violent felony		Treble minimum without parole for two-thirds of sentence	Quintuple maximum w/o parole for two-thirds of sentence
Arkansas	pre-03/06/53		No habitual offender statute					
	03/06/53	1953 Acts No. 228, §1, p. 692	Prison offense	1	Prison offense		Minimum plus 1 year	Life
			Prison offense	2	Prison offense		Minimum plus 2 years	Life

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ark. (cont.)			Prison offense	3	Prison offense		Minimum plus 3 years	Life
	04/06/67	1967 Acts No. 639, §1, p. 1174	Prison offense	1	Prison offense		Minimum plus 1 year	Greater of minimum plus 1 year or maximum
			Prison offense	2	Prison offense		Minimum plus 3 years	Greater of minimum plus 3 years or maximum
			Prison offense	3	Prison offense		Greater of 5 years or maximum	Greater of 5 years or one and one- half maximum
	01/01/76	1975 Acts No. 280, §1001, p. 570	Class D felony	2	Felony			5 years
			Class C felony	2	Felony		2 years; judge need not apply statute	10 years
			Class B felony	2	Felony		5 years; judge need not apply statute	30 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ark. (cont.)			Class A felony	2	Felony		10 years; judge need not apply statute	Life or 50 years
	03/17/77	1977 Acts No. 474, §4, p. 1130	Unclassified felony	2	Felony		Minimum plus 3 years; judge need not apply statute	Maximum plus 5 years
			Class D felony	2	Felony			7 years
			Class C felony	2	Felony		3 years; judge need not apply statute	15 years
			Class B felony	2	Felony		5 years; judge need not apply statute	30 years
			Felony pun- ishable by life sentence	2	Felony		10 years; judge need not apply statute	Life or 50 years
			Class A felony	2	Felony		10 years; judge need not apply statute	Life or 50 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ark. (cont.)			Unclassified Felony	3	Felony		Minimum plus 7 years; judge need not apply statute	Double Maximum
			Class D felony	3	Felony		5 years; judge need not apply statute	10 years
			Class C felony	3	Felony		10 years; judge need not apply statute	20 years
			Class B felony	3	Felony		20 years; judge need not apply statute	40 years
			Felony pun- ishable by life sentence	3	Felony		25 years; judge need not apply statute	Life or 50 years
			Class A felony	3	Felony		50 years; judge need not apply statute	Life
California	pre-1872		No habitual offender statute					

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)	1872	1871 Acts P.C. §666-67, p. 143	Petty larceny or attempted prison offense w/ term at most 5 years	1	Prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
	03/09/03	1903 Acts C.95-96, p. 107	Petty larceny	1	Prison offense or petty larceny			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense or petty larceny			10 years
			Prison offense punishable by term greater than 10 years	1	Prison offense or petty larceny		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)	03/21/05	1905 Acts C.506, p. 667	Petty larceny	1	Prison offense or petty larceny			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense or petty larceny			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense or petty larceny		10 years	Life
	03/13/09	1907 Acts C.234, p. 360; C.236, p. 364	Petty larceny	1	Prison offense	Prison term		5 years
			Prison offense punishable by term at most 5 years	1	Petty larceny	Prison term		10 years
			Prison offense	1	Prison offense	Prison term	Maximum	
			Prison offense punishable by term greater than 5 years	1	Petty larceny	Prison term	10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)	05/05/23	1923 Acts C.111, §1, p. 237 & prior law	Petty larceny	1	Prison offense	Prison term		5 years
			Prison offense punishable by term at most 5 years	1	Petty larceny	Prison term		10 years
			Prison offense	1	Prison offense	Prison term	Maximum	
			Prison offense punishable by term greater than 5 years	1	Petty larceny	Prison term	10 years	Life
			Felony	2	Specified violent or semi-violent offense		10 years	Life
			Felony	3	Specified violent or semi-violent offense		Life	
	07/29/27	1927 Acts C.634, §1, p. 1066 & prior law	Petty larceny	1	Prison offense	Prison term		5 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
Cal. (cont.)	08/14/31	1931 Acts C.481-482, p. 1050	Prison offense punishable by term at most 5 years	1	Petty larceny	Prison term		10 years
			Prison offense	1	Prison offense	Prison term	Maximum	
			Prison offense punishable by term greater than 5 years	1	Petty larceny	Prison term	10 years	Life
			Felony	2	Specified offense		Life without parole for 12 years	
			Felony	3	Felony		Life without parole	
			Petty theft	1	Felony			5 years
			Prison offense punishable by term at most 5 years	1	Petty larceny or petty theft	Prison term		10 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)	09/15/35	1935 Acts C.602-03, p. 1699; C.754, §1, p. 2121 & prior law	Prison offense punishable by term greater than 5 years	1	Petty larceny or petty theft		5 years	
			Felony	2	Specified offense	Prison term each	Life without parole for 12 years	
			Felony	3	Specified offense	Prison term each	Life without parole	
			Petty theft	1	Felony	Prison term		5 years
			Prison offense punishable by term at most 5 years	1	Petty larceny or petty theft	Prison term		10 years
			Unarmed prison offense	1	Felony		5 years	
			Prison offense punishable by term greater than 5 years	1	Petty larceny or petty theft	Prison term	5 years	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)			Armed prison offense	1	Felony		10 years	
			Felony	2	Specified offense	Prison term	Life w/o parole 12 years; judge can dismiss habitual count	
			Felony	3	Specified offense	Prison term	Life without parole; judge can dismiss habitual count	
	09/15/45	1945 Acts C.934, p. 1747 & prior law	Petty theft	1	Felony	Prison term		5 years
			Prison offense punishable by term at most 5 years	1	Petty larceny or petty theft	Prison term		10 years
			Unarmed prison offense	1	Felony		5 years	
			Prison offense punishable by term greater than 5 years	1	Petty larceny or petty theft	Prison term	5 years	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Cal. (cont.)			Armed prison offense	1	Felony		10 years	
			Specified violent or semi-violent offense	2	Specified offense	Prison term	Life w/o parole 15 years; judge can dismiss habitual count	
			Specified violent or semi-violent offense	3	Specified offense	Prison term	Life w/o parole 20 years; judge can dismiss habitual count	
			Prison felony	1	Prison offense within 5 years	1 year	1 year additional for each prior	
			Specified violent felony	1	Specified violent or armed felony within 10 years	1 year	3 years additional for each prior	
Canal Zone	pre-09/10/04		No habitual offender statute					
	09/10/04	1904 Acts Tit.IV, §50-53, p. 89	Prison offense punishable by term at most 5 years	1	Prison offense			10 years

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
C.Z. (cont.)			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
			Felony	2	Felony	5 years each	15 years	
Colorado	pre-04/18/29		No habitual offender statute					
	04/18/29	1929 Acts C.85, §1-3, p. 309	Specified felony	1	Specified felony		One-third maximum	Double Maximum
			Specified felony	2	Specified felony		Maximum	Treble Maximum
			Specified felony	3	Specified felony		Life	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Colo. (cont.)	04/09/45	1945 Acts C.114, §1, p. 310	Felony	2	Felony		Maximum	Treble Maximum
			Felony	3	Felony		Life	
	07/01/76	1976 Acts C.93, §6, p. 548	Felony pun- ishable by term greater than 5 years	2	Felony within 10 years		25 years	50 years
			Felony	3	Felony		Life	
Connecticut	pre-1849		No habitual offender statute					
	1849	1848 Acts §178, p. 262	Prison offense	1	Prison offense			Double Maximum
	1888	1887 Acts C.114, §1, p. 734 & prior law	Prison offense	1	Prison offense			Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Conn. (cont.)	06/17/01	1901 Acts C.78, §1, p. 1225 & prior law	Prison offense punishable by term at least 2 years	2	Prison offense punishable by term at least 2 years	2 years	25 years additional	
			Prison offense	1	Prison offense			Double Maximum
			Prison offense	2	Prison offense	Prison term	30 years	
	07/01/02	1902 Acts Tit.7, §1530, 1535-36, p. 417-19	Prison offense	1	Prison offense	Prison term		Double Maximum
			Prison offense	2	Prison offense	Prison term each		30 years
			Prison offense with sentence at least 1 year	2	Prison offense	1 year each	25 years additional	
	01/15/49	1948 Acts Tit.65, C.429, §8820, 8825, p. 3182	Prison offense	1	Prison offense	Prison term		Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Conn. (cont.)			Prison offense	2	Prison offense	Prison term each		30 years
	06/26/69	1969 Acts No.605, p. 766	Specified armed offense or attempted offense	1	Specified armed offense or attempted offense		1 year additional	5 years additional
			Specified armed offense or attempted offense	1	Specified armed offense or attempted offense		10 years additional	Life
			Specified armed offense or attempted offense	2	Specified armed offense or attempted offense		5 years additional	Life
	10/01/71	1969 Acts No.828, §35, 40, p. 1567-70	Class D felony	2	Prison offense	1 year		10 years without parole for 5 years
			Class C felony	2	Prison offense	1 year		20 years without parole for 10 years
			Class B felony	2	Prison offense	1 year		Life without parole for 25 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Conn. (cont.)			Specified violent offense	2	Specified violent prison offense	1 year		Life without parole for 25 years
Delaware	pre-07/15/53		No habitual offender statute					
	07/15/53	1953 Acts C.5, §1, p. 10; V.58, C.413, §1, p. 837	Drug offense	1	Drug offense		5 years	10 years and \$3,000 fine
			Drug offense	2	Drug offense		10 years	20 years and \$3,000 fine
			Felony	3	Felony			Life
	06/22/70	C.585, §1, p. 1731, 1765	Specified violent or semi-violent felony	2	Specified violent or semi-violent felony		Life without parole	
		C.585, §1, p. 1731	Felony	3	Felony other than specified violent or semi-violent felony			Life

TABLE 3 (cont.)

04/79

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
District of Columbia	pre-01/01/02		No habitual offender statute					
	01/01/02	1901 Acts No.159, C.19, subch.8, §907, p.164	Any offense	1	Any offense			One and one- half maximum
	02/01/71	1970 Acts No.91-358, Tit.II, §201, p. 701, 84 Stat.599	Any offense	1	Any offense			One and one- half maximum
			Any offense	2	Any offense			Treble Maximum
			Felony	2	Felony			Life
Florida	pre-06/03/27		No habitual offender statute					
	06/03/27	1927 Acts C.12022, No. 217, §1-2, p. 621	Felony	1	Felony or attempted felony		Maximum	Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
a. (cont.)			Felony	3	Felony or attempted felony		Life	
	01/01/72	1971 Acts C.71-136, §5-6, p. 555	Third degree felony	1	Felony within 5 years			10 years
			Second degree felony	1	Felony within 5 years			30 years
			First degree felony	1	Felony within 5 years			Life
	07/01/75	1974 Acts C.74-383, §7, p. 1228	Third degree felony	1	Felony within 5 years			10 years
			Second degree felony	1	Felony within 5 years			30 years
			First degree felony	1	Felony within 5 years			Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
La. (cont.)			Third degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			10 years
			Second degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			30 years
			First degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			Life
	pre-1833		No habitual offender statute					
	1833	1833 Acts P.C. §46, p. 840	Prison offense	1	Prison offense	Prison term	Maximum	
	12/21/53	1953 Acts No. 730, p. 289 & prior law	Prison offense	1	Prison offense	Prison term	Maximum	
			Felony	3	Felony		Maximum without parole	

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Hawaii	pre-01/01/73		No habitual offender statute					
	01/01/73	1972 Acts No. 9, §661-62, p. 80	Class C felony	2	Felony			10 years
			Class B felony	2	Felony			20 years
			Class A felony	2	Felony			Life
	06/01/76	1976 Acts No.181, §706, p. 338; No.204, p. 493 & prior law	Specified violent or dangerous drug offense	1	Same offense		5 years without parole	
			Class A or B armed felony	1	Armed felony		10 years without parole	Life
			Class C felony	2	Felony			10 years

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
Hawaii (cont.)			Class B felony	2	Felony			20 years
			Specified violent or dangerous drug offense	2	Same offense		10 years without parole	
			Class A felony	2	Felony			Life
Idaho	pre-03/09/23		No habitual offender statute					
	03/09/23	1923 Acts No. 109, p. 139	Felony	2	Felony		5 years	Life
Illinois	pre-1883		No habitual offender statute					
	1883	1883 Acts p. 76	Specified felony	1	Specified felony		Maximum	

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ill. (cont.)			Specified felony	2	Specified felony		15 years	Life
	01/01/62	1961 Acts p. 1983, 2028, §24-1	Specified armed offense	1	Felony within 5 years		1 year	10 years
	08/03/67	1967 Acts S.B.18, §1, Pt.F, §33A-1, p. 2595 & prior law	Specified armed offense	1	Felony within 5 years		1 year	10 years
			Specified armed felony	1	Specified armed felony		5 years	Life
			Specified armed offense	1	Specified armed offense		5 years	Life
	08/24/71	1971 Acts No.77-1233, p. 2204 & prior law	Specified armed offense	1	Felony within 5 years		1 year	10 years
			Specified armed felony	1	Specified armed felony		8 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ill. (cont.)	01/01/73	1972 Acts No.77-2638, §33A-3; No.77-2097, §5-8-1 & prior law	Specified armed offense	1	Felony within 5 years		1 year	10 years
			Specified armed felony	1	Specified armed felony		4 years	Life
	02/01/78	1977 Acts No.80-1099, p. 3268-70, 3298, 3301, 3308-10	Specified armed offense	1	Specified armed offense within 5 years		1 year	6 years
			Specified armed felony	1	Felony within 5 years		2 years	10 years
			Class 1 or 2 felony	2	Class 1 or 2 felony		6 years	30 years
			Specified violent felony	2	Specified violent felony		Life without parole	
Indiana	pre-04/10/07		No habitual offender statute					

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
nd. (cont.)	04/10/07	1907 Acts C. 82, §1, p. 109	Felony	2	Felony -	Prison term	Life	
	10/01/77	1977 Acts No.340, §121, p. 1533, 1594	Felony or prison offense punish- able by term greater than 1yr	2	Felony or prison offense punish- able by term greater than 1yr		30 years additional	
owa	pre-1898		No habitual offender statute					
	1898	1898 Acts C.109, §1, p. 58	Specified felony	2	Specified felony		15 years	Life
	04/09/02	1902 Acts C.152, §1, p. 110 & prior law	Specified felony	2	Specified felony		15 years	
			Felony	2	Prison offense	3 years each	25 years	
	04/13/21	1921 Acts C.231, §16-17, p. 262	Felony	2	Prison offense	3 years each		Greater of 25 years or maximum

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Iowa (cont.)			Specified felony	2	Specified felony			40 years
	01/01/78	1976 Acts C.1245, Div.2, §208-09, p. 659 & prior law	Class C or D felony	2	Felony		Greater of 3 yrs or minimum, without parole for 3 years	15 years without parole for 3 years
			Specified felony	2	Specified felony	3 years each		40 years
Kansas	pre-1855		No habitual offender statute					
	1855	1855 Acts C.54, §7, p. 293	Petty larceny or attempted prison offense	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense	1	Prison offense, petty larceny, or attempted prison offense		Maximum	
	1868	1868 Acts C.31, §289, 291, p. 380-81	Attempted prison offense	1	Prison offense			5 years

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Kan. (cont.)	06/01/27	1927 Acts C.191, §1, p. 247 & prior law	Prison offense	1	Prison offense		Maximum	
			Attempted prison offense	1	Prison offense			5 years
			Prison offense	1	Prison offense or attempted prison offense		Maximum	
			Prison felony	1	Prison felony		Double prior sentence	Life
	06/30/37	1937 Acts C.209, §1, p. 300 & prior law	Felony	2	Felony		Life	
			Prison felony	1	Prison felony		Double prior sentence	Life
			Felony	2	Felony		Life	

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Kan. (cont.)	06/30/39	1939 Acts C.178, §1, p. 299 & prior law	Prison felony	1	Prison felony		Double Maximum	Life
			Felony	2	Felony		15 years	Life
	07/01/70	1969 Acts C.180, §21-4504, p. 495; C.124, §10, p. 464	Prison felony	1	Felony	Minimum without parole		Double maximum without parole for double the minimum
			Felony	2	Felony	Maximum without parole for the minimum		Life without parole for treble the minimum
	01/01/79	1978 Acts C.120, §4, p. 539	Prison felony	1	Prison felony			Double Maximum
			Felony	2	Felony			Treble Maximum
Kentucky	pre-1881		No habitual offender statute					

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ky. (cont.)	1881	1881 Acts C.29, Art.1, §12, p. 318	Prison felony	1	Prison felony		Double prior sentence	
			Felony	2	Felony		Life	
	01/01/75	1974 Acts C.406, §280, p. 873	Class C or D felony	2	Felony	1 year	10 years	20 years
			Class B felony	2	Felony	1 year	20 years	Life
			Class A felony	2	Felony	1 year	Life	
	03/29/76	1976 Acts C.180, §1, p. 425	Felony	1	Felony within 5 years	1 year	Next highest felony category without parole	
			Class C or D felony	2	Felony within 5 years	1 year	10 years without parole	20 years without parole for 10 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
y. (cont.)			Class A or B felony	2	Felony within 5 years	1 year	20 years without parole for 10 years	Life without parole for 10 years
Louisiana	pre-1855		No habitual offender statute					
	1855	1855 Acts No. 120, §118, p. 149	Any offense	1	Any offense			Double Maximum
			Any offense	2	Any offense			Treble Maximum
			Any offense	3	Any offense			Life
	07/07/28	1928 Acts No. 15, §1-2, p. 17	Felony	1	Felony or attempted felony		Maximum	Double Maximum
			Felony	2	Felony or attempted felony		Maximum	Quadruple Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
a. (cont.)			Felony	3	Felony or attempted felony		Life	
	07/07/42	1942 Acts No. 45, §1-2, p. 142	Felony	1	Felony within 5 years		One-third maximum	Double Maximum
			Felony	2	Felony within 5 years		One-half maximum	Double Maximum
			Felony	3	Felony within 5 years		Greater of 20 years or maximum	Life
	09/08/78	1978 Acts No.424, §1, p. 1057 & prior law	Felony	1	Felony within 5 years		One-third maximum	Double Maximum
			Felony	2	Felony within 5 years		One-half maximum	Double Maximum
			Felony	2	Violent felony or felony punishable by term exceeding 12 yrs		Life without parole	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
La. (cont.)			Felony	3	Felony within 5 years		Greater of 20 years or maximum	Life
			Felony	3	1 felony & 2 fel- onies violent or carrying more than 12 yr term		Life without parole	
Maine	pre-1824		No habitual offender statute					
	1824	1824 Acts C.282, §18, p. 118	Prison offense	1	Prison offense	Prison term		Life
	03/01/76	1975 Acts C.499, §2, p. 1273	No habitual offender statute					
Maryland	pre-07/01/75		No habitual offender statute					
	07/01/75	1975 Acts C.253, p. 1254	Specified violent offense or attempted offense	3	Specified violent offense or attempted offense		Life without parole	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Massachusetts	07/01/77	1977 Acts C.678, §1, p. 2724	Specified violent offense or attempted offense	2	Specified violent offense or attempted offense	1 prison term	25 years	
			Specified violent offense or attempted offense	3	Specified violent offense or attempted offense	Prison term each	Life without parole	
	pre-1818		No habitual offender statute					
	1818	1817 Acts C.176, §5, 6, p. 447	Prison offense	1	Prison offense	Prison term		7 years additional plus 30 day solitary confinement
			Prison offense	2	Prison offense	Prison term	Life plus 30 days solitary confinement	
	1833	1833 Acts C.85, p. 618	Prison offense with sentence at least 1 year	1	Prison offense	1 year		7 years additional
			Prison offense	2	Prison offense	1 year each	7 years additional	Life

TABLE 3 (cont.)

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mass. (cont.)	1843	1843 Acts C.80, §1, p. 44 & prior law	Prison offense with sentence at least 1 year	1	Prison offense	1 year		3 years additional
			Prison offense	2	Prison offense	1 year each	7 years additional	
	1853	1853 Acts C.375, p. 596	No habitual offender statute					
	1887	1887 Acts C.435, §1, p. 1098	Felony	2	Prison offense	3 years each	25 years	
	05/06/04	1904 Acts C.303, §21, p. 252	Felony	2	Prison offense	3 years each	Maximum	
Michigan	pre-1846		No habitual offender statute					
	1846	1846 Acts Tit.30, C.161, §12-13, p. 688	Prison offense with sentence at least 1 year	1	Prison offense	1 year		7 years additional

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mich. (cont.)			Prison offense	2	Prison offense	1 year each	7 years additional	Life
	09/05/27	1927 Acts No. 175, C.9, §10-12, p. 324	Felony or attempted felony	1	Felony or attempted felony		One-half maximum	One and one- half maximum
			Felony or attempted felony	2	Felony or attempted felony		Maximum	Double Maximum
			Felony	3	Felony or attempted felony		Life	
	04/02/29	1929 Acts No. 24, C.9, §10-12, p. 52-53	Felony	1	Felony or attempted felony		One-half maximum	One and one- half maximum
			Felony	2	Felony or attempted felony		Maximum	Double Maximum
			Felony pun- ishable by term less than 5 years	3	Felony		7-1/2 years	15 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mich. (cont.)			Felony pun- ishable by term at least 5 years	3	Felony		Life	
	09/23/49	1949 Acts No. 56, §1. p. 52	Felony	1	Felony or attempted felony			One and one- half maximum
			Felony	2	Felony or attempted felony			Double Maximum
			Felony pun- ishable by term less than 5 years	3	Felony or attempted felony			15 years
			Felony pun- ishable by term at least 5 years	3	Felony or attempted felony			Life
	04/01/72	1971 Acts No.196, C.4, §335.348, p. 625 & prior law	Felony	1	Felony or attempted felony			One and one- half maximum
			Felony	2	Felony or attempted felony			Double Maximum

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mich. (cont.)			Specified drug offense	1	Specified drug offense			Double Maximum
			Felony pun- ishable by term less than 5 years	3	Felony or attempted felony			15 years
			Felony pun- ishable by term at least 5 years	3	Felony or attempted felony			Life
	Minnesota	pre-1886	No habitual offender statute					
	1886	1886 Acts P.C. Tit.18, §517, p. 199	Felony, attempted felony, or petty larceny	1	Prison offense		Maximum	Double Maximum
	03/01/06	1905 Acts C.93, §4772, p. 1014	Felony or attempted felony	1	Prison offense		Maximum	Double Maximum
	04/16/27	1927 Acts C.236, §1-2, p. 337	Felony or attempted felony	1	Felony or attempted felony		Double Minimum	Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Minn. (cont.)			Felony or attempted felony	3	Felony or attempted felony		Double Minimum	Life
	09/01/63	1963 Acts C.753, Art.I, §609.155, p. 1196	Felony	1	Felony within 10 years			Lesser of 40 y or maximum ti number of pri felonies
	08/01/75	1975 Acts C.374, §3-7, p. 1245-49 & prior law	Specified violent offense	1	Specified vio- lent offense within 15 years		3 years	
			Felony	1	Felony within 10 years			Lesser of 40 y or maximum ti number of pri felonies
	05/01/80	1978 Acts C.723, Art.I, §16, 19, p. 770	Specified violent offense	1	Specified violent offense		3 years	
Mississippi	pre-1848		No habitual offender statute					
	1848	1848 Acts C.64, No.8, p. 981	Attempted prison offense or petty larceny	1	Prison offense			5 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Miss. (cont.)			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
	1857	1857 Acts P.C.	No habitual offender statute					
Missouri	01/01/77	1976 Acts C.470, §1-2, p.772	Felony	2	Felony	1 year each	Maximum without parole	
			Felony	2	Felony; if #1 is nonviolent, then at least 1 violent felony	1 year each	Life without parole	
	pre-1825		No habitual offender statute					
	1825	1825 Acts §95, p. 311	Prison offense	1	Prison offense		Double Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
o. (cont.)			Prison offense	2	Prison offense			Treble Maximum
	1879	1879 Acts C.24, §1664, p. 286	Attempted prison offense or petty larceny	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense	1	Prison offense, petty larceny, or attempted prison offense		Maximum	
	1895	1895 Acts p. 153	Attempted prison offense	1	Prison offense or attempted prison offense			5 years
			Prison offense	1	Prison offense or attempted prison offense		Maximum	
	04/06/27	1927 Acts p. 173 & prior law	Attempted prison offense	1	Prison offense or attempted prison offense			5 years
			Prison offense	1	Prison offense or attempted prison offense		Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mo. (cont.)			Armed felony or attempted felony	1	Armed felony or attempted felony		10 years additional	
			Armed felony or attempted felony	2	Armed felony or attempted felony		15 years additional	
			Armed felony or attempted felony	3	Armed felony or attempted felony		Life	
	06/15/59	1959 Acts S.B. No.117 & prior law	Armed felony or attempted felony	1	Armed felony or attempted felony		10 years additional	
			Armed felony or attempted felony	2	Armed felony or attempted felony		15 years additional	
			Armed felony or attempted felony	3	Armed felony or attempted felony		Life	
	06/24/76	1976 Acts p. 780	Armed felony	2	Armed felony		5 years additional without parole for 5 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mo. (cont.)			Armed felony	3	Armed felony		10 years additional without parole for 10 years	Life
	01/01/79	1977 Acts S.B. No.60, §1, §558.016, p. 670, §571.015, p. 700	Class D felony	1	Class A or B or dangerous felony			10 years
			Class C felony	1	Class A or B or dangerous felony			15 years
			Class B felony	1	Class A or B or dangerous felony			30 years
			Armed felony	1	Armed felony		5 years additional without parole for 5 years	Life without parole for 5 years
			Class D felony	2	Felony			10 years
			Class C felony	2	Felony			15 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Montana	pre-1895		Class B felony	2	Felony			30 years
			Armed felony	2	Armed felony		10 years additional without parole for 10 years	Life without parole for 10 years
			No habitual offender statute					
	1895	1895 Acts P.C. Tit.16, §1232-33, p. 939	Petty larceny or attempted prison offense	1	Petty larceny or attempted prison offense			5 years
			Petty larceny or attempted prison offense w/ term at most 5 years	1	Prison offense			5 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mont. (cont.)	01/01/74	1973 Acts C.513, §5, p. 1399	Felony	1	Prison felony w/in 5 yrs pun- ishable by term exceeding 1 year	1 year	5 years	100 years
Nebraska	pre-04/25/21		No habitual offender statute					
	04/25/21	1921 Acts C.131, §1, p. 543	Felony	2	Prison offense	1 year each	Greater of 10 years or minimum	Life
	03/12/37	1937 Acts C.68, §1, p. 251	Felony	2	Prison offense	1 year each	10 years	Greater of 20 years or maximum
	10/22/67	1967 Acts C.179, §1, p. 497	Felony	2	Prison offense	1 year each	10 years	Greater of 60 years or maximum
Nevada	pre-01/01/12		No habitual offender statute					
	01/01/12	1911 Acts C.7, §6292, p.1811	Felony, petty larceny, or fraud-type offense	2	Felony		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
ev. (cont.)	07/01/67	1965 Acts C.211, §209, p. 516	Felony, petty larceny, or fraud-type offense	3	Petty larceny or fraudulent misdemeanor		10 years	Life
			Felony, petty larceny, or fraud-type offense	3	Felony		Life	
			Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life	
			Felony, petty larceny, or fraud-type offense	2	Felony		10 years	Life
			Felony, petty larceny, or fraud-type offense	3	Petty larceny or fraudulent misdemeanor		10 years	Life
			Felony, petty larceny, or fraud-type offense	3	Felony		Life; judge can dismiss habitual count	
			Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life; judge can dismiss habitual count	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Nev. (cont.)	03/31/71	1971 Acts C.123, §1, p. 173	Felony, petty larceny, or fraud-type offense	2	Felony		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Petty larceny or fraudulent misdemeanor		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Felony		Life; judge can dismiss habitual count	
			Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life; judge can dismiss habitual count	
	04/18/77	1977 Acts C.193, p. 360	Felony, petty larceny, or fraud-type offense	2	Felony		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Petty larceny or fraudulent misdemeanor		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Felony		Life w/o parole 10 years; judge can dismiss habitual count	Life without parole; judge can dismiss habitual count

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
ev. (cont.)			Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life w/o parole 10 years; judge can dismiss habitual count	Life without parole; judge can dismiss habitual count
New Hampshire	pre-1893		No habitual offender statute					
	1893	1893 Acts C.79, §1, p. 66	Felony	2	Prison offense	3 years each		15 years
	11/01/73	1971 Acts C.518, §651:6, p. 692	Felony	2	Prison offense	1 year each	10 years	30 years
New Jersey	pre-03/28/27		No habitual offender statute					
	03/28/27	1927 Acts C.218, p. 412; C.263, p. 483	Prison offense	1	Prison offense		Added commutation time earned for first sentence	
			Prison offense	2	Prison offense	Prison term	Added commutation time earned for second sentence w/o parole	

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.J. (cont.)			Prison offense	3	Prison offense			Life
	11/19/40	1940 Acts C.219, §1-3, p. 889	Any offense	1	High misdemeanor			Double Maximum
			High misdemeanor or misdemeanor	2	High misdemeanor			Treble maximum w/o parole plu all prior earn commutation ti
			Any offense	3	High misdemeanor		Life	
	07/06/50	1950 Acts C.315, §1, 4, p. 1072 & prior law	Any offense	1	High misdemeanor			Double Maximum
			Any offense	2	High misdemeanor			Treble Maximum without parole
			Any offense	3	High misdemeanor		Life	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
New Mexico	05/22/53	1953 Acts C.166, §1-2, p. 1426	High misdemeanor or misdemeanor	1	High misdemeanor			Double Maximum
			High misdemeanor or misdemeanor	2	High misdemeanor			Treble Maximum
			High misdemeanor or misdemeanor	3	High misdemeanor			Life
	09/01/79	1978 Acts Ch.95, §2C:44-1 to -4, p. 448-50	No habitual offender statute					
	pre-03/11/29		No habitual offender statute					
	03/11/29	1929 Acts C.58, p. 83	Felony	1	Felony		One-half maximum	Double Maximum
			Felony	2	Felony		Maximum	Treble Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.M. (cont.)			Felony	3	Felony		Life	
	07/01/79	1977 Acts C.216, §6, p. 727	Felony	1	Prison felony punishable by term at least 1 year		1 year additional	
			Felony	2	Prison felony punishable by term at least 1 year		2 years additional	
			Felony	3	Prison felony punishable by term at least 1 year		4 years additional	
New York	pre-1796		No habitual offender statute					
	1796	1796 Acts C.30, p. 669	Felony above petty larceny unless punish- able by death	1	Felony above petty larceny unless punish- able by death		Life	
	1881	1881 Acts P.C. §688-90, 696, p. 181	Felony	1	Misdemeanor		Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)	09/01/07	1907 Acts C.645, p. 1494 & prior law	Prison offense	1	Felony, attempted felony, or petty larceny		Maximum	Double Maximum
			Felony	1	Misdemeanor		Maximum	
			Prison offense	1	Felony, attempted felony, or petty larceny		Maximum	Double Maximum
			Felony	3	Felony or attempted felony		Life	
	09/01/20	1920 Acts C.571, p. 1444 & prior law	Felony	1	Felony or attempted felony		Maximum	Double Maximum
			Felony	3	Felony		Life	
	04/04/32	1932 Acts C.617, §1, p. 1312 & prior law	Felony	1	Felony		Maximum	Double Maximum

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)	05/08/42	1942 Acts C.700, §1, p. 1583 & prior law	Felony except murder or treason	3	Felony except murder or treason		Greater of 15 years or maximum	Life
			Felony pun- ishable by term at most 5 years	1	Felony or attempted felony		2 years	
			Felony pun- ishable by term greater than 5 years	1	Felony		Greater of 5 years or one-half maximum	Double Maximum
			Felony except murder or treason	3	Felony except murder or treason		Greater of 15 years or maximum	Life
	03/30/50	1950 Acts C.300, §1, p. 979 & prior law	Felony or attempted felony	1	Felony		One-half maximum	Double Maximum
			Felony except murder or treason	3	Felony except murder or treason		15 years	Life
	02/19/52	1952 Acts C.22, p. 36 & prior law	Felony or attempted felony	1	Felony or attempted felony		One-half maximum	Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)			Drug felony	2	Drug felony		15 years	Life
			Felony except murder or treason	3	Felony except murder or treason		15 years	Life
	07/20/65	1965 Acts C.1030, §70.00, 70.10, p. 2366-67	Felony	2	Prison felony	1 year each		Life without parole for 25 years
	09/01/73	1973 Acts C.277, §9, p. 397; C.1051, §4, p. 1994	Class E felony	1	Prison felony w/in 10 yrs punishable by term exceeding 1 yr		3 years without parole for 1-1/2 years	4 years without parole for 2 years
			Class D felony	1	Prison felony w/in 10 yrs punishable by term exceeding 1 yr		4 years without parole for 2 years	7 years without parole for 3-1/2 years
			Class C felony	1	Prison felony w/in 10 yrs punishable by term exceeding 1 yr		6 years without parole for 3 years	15 years without parole for 7-1/2 years
			Class B felony	1	Prison felony w/in 10 yrs punishable by term exceeding 1 yr		9 years without parole for 4-1/2 years	25 years without parole for 12-1/2 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)	09/01/78	1978 Acts C.481, §3-7, p. 67	Felony	2	Prison felony w/in 10 yrs pun- ishable by term exceeding 1 yr			Life without parole for 25 years
			Specified nonviolent felony Class E	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		3 years without parole for 1-1/2 years	4 years without parole for 2 years
			Specified nonviolent felony Class D	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		4 years without parole for 2 years	7 years without parole for 3-1/2 years
			Specified nonviolent felony Class C	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		6 years without parole for 3 years	15 years without parole for 7-1/2 years
			Specified nonviolent felony Class B	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		9 years without parole for 4-1/2 years	25 years without parole for 12-1/2 years
			Specified violent felony Class D	1	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		5 years without parole for 2-1/2 years	7 years without parole for 3-1/2 years
			Specified violent felony Class C	1	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		8 years without parole for 4 years	15 years without parole for 7-1/2 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)			Specified violent felony Class B	1	Violent felony w/in 10 yrs punishable by term exceeding 1 yr		12 years without parole for 6 years	25 years without parole for 12-1/2 years
			Specified nonviolent felony	2	Nonviolent felony w/in 10 yrs punishable by term exceeding 1 yr			Life without parole for 25 years
			Specified violent felony Class D	2	Violent felony w/in 10 yrs punishable by term exceeding 1 yr		Life without parole for 6 years	Life without parole for 25 years
			Specified violent felony Class C	2	Violent felony w/in 10 yrs punishable by term exceeding 1 yr		Life without parole for 8 years	Life without parole for 25 years
			Specified violent felony Class B	2	Violent felony w/in 10 yrs punishable by term exceeding 1 yr		Life without parole for 10 years	Life without parole for 25 years
North Carolina	pre-07/06/67		No habitual offender statute					
	07/06/67	1967 Acts C.1241, §1, 6, p. 1872	Felony	3	Felony		20 years without parole for 15 years	Life without parole for 30 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
North Dakota	pre-1877		No habitual offender statute					
	1877	1877 Acts P.C. C.58, §754, 756, p. 798	Petty larceny or attempted prison offense	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
	1899	1899 Acts P.C. C.73, §7696, 7698, p. 1539	Petty larceny or attempted prison offense	1	Petty larceny or attempted prison offense			5 years
			Petty larceny or attempted prison offense	1	Prison offense		1 year	5 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
D. (cont.)			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
	03/07/27	1927 Acts C.126, §1-2, 4, p. 157	Felony involving moral turpitude	2	Felony involving moral turpitude			Double Maximum
	07/01/75	1973 Acts C.116, §31, §12.1-32-09, p. 293	Felony involving moral turpitude	3	Felony involving moral turpitude			Life
			Violent felony	1	Violent felony			Life
			Class C felony	2	Class A or B felony			10 years

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.D. (cont.)			Class B felony	2	Class A or B felony			20 years
			Class A felony	2	Class A or B felony			Life
			Class C felony	3	1 Class B felony & 2 prison offenses below Class B felony			10 years
			Class B felony	3	1 Class B felony & 2 prison offenses below Class B felony			20 years
			Class A felony	3	1 Class B felony & 2 prison offenses below Class B felony			Life
Ohio	pre-1885		No habitual offender statute					
	1885	1885 Acts H.B.No. 751, §2, p. 236	Prison felony	2	Prison felony	Prison term each	Life	

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ohio (cont.)	04/03/29	1929 Acts H.B.No.8, §1-2, p. 40	Specified felony	2	Specified felony		Maximum	
			Specified felony	3	Specified felony		Life	
	01/01/74	1972 Acts No.511, §1-2, §2929.01, 2929.11-.12, p. 1976-82	No habitual offender statute					
Oklahoma	pre-1890		No habitual offender statute					
	1890	1890 Acts P.C. C.25, §12, 14, p. 517	Petty larceny or attempted prison offense	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Okla. (cont.)	06/18/63	1963 Acts C.283, §1, p. 403	Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
			Petty larceny or attempted prison offense	1	Prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
	04/15/68	1968 Acts C.179, §1, p. 275	Prison offense punishable by term greater than 5 years	1	Prison offense			Life
			Petty larceny or attempted prison offense	1	Prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Okla. (cont.)	10/01/75	1975 Acts C.64, §1, p. 103	Petty larceny or attempted prison offense	1	Prison offense within 10 years			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense within 10 years			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense within 10 years		10 years	Life
	05/10/76	1976 Acts C.94, §1, p. 134 & prior law	Petty larceny or attempted prison offense	1	Prison offense within 10 years			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense within 10 years			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense within 10 years		10 years	Life
			Felony	2	Felony within 10 years			Maximum plus 20 years additional

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Okla. (cont.)	10/01/78	1978 Acts C.281, §1, p. 796 & prior law	Petty larceny or attempted prison offense	1	Prison offense within 10 years			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense within 10 years			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense within 10 years		10 years	Life
			Felony	2	Felony within 10 years		20 years	Life
Oregon	pre-02/14/21		No habitual offender statute					
	02/14/21	1921 Acts C.70, §1, p. 97	Prison felony	2	Prison felony		Life	
	03/03/27	1927 Acts C.334, §1-3, p. 432	Felony	1	Felony or attempted felony		Maximum	Double Maximum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
r. (cont.)	07/05/47	1947 Acts C.585, §1-2, p. 1101	Felony	2	Felony or attempted felony		Double Maximum	Quadruple Maximum
			Felony	3	Felony or attempted felony		Life	
			Felony	1	Felony within 5 years			Double Maximum
	07/21/53	1953 Acts C.641, §7, p. 1178 & prior law	Felony	3	Felony or attempted felony		Double Maximum	Life
			Felony	1	Felony within 5 years			Double Maximum
			Specified violent offense	1	Specified violent offense			Life
			Felony	3	Felony or attempted felony		Double Maximum	Life

TABLE 3 (cont.)

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Dr. (cont.)	05/31/61	1961 Acts C.648, §7, p. 1306	Felony	1	Felony			Double Maximum
			Felony	2	Felony			Treble Maximum
			Felony	3	Felony		Double Maximum	Life
	06/06/67	1967 Acts C.358, §1, p.480 & prior law	Felony	1	Felony			Double Maximum
			Specified violent offense	1	Specified violent offense OSV			Life
			Felony	2	Felony			Treble Maximum
			Felony	3	Felony			Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
r. (cont.)	08/22/69	1969 Acts P.C. §166.230 & prior law	Felony	1	Felony			Double Maximum
			Armed felony or attempted felony	1	Armed felony or attempted felony			15 years additional
			Specified violent felony	1	Specified violent felony			Life
			Felony	2	Felony			Treble Maximum
			Armed felony or attempted felony	2	Armed felony or attempted felony			25 years additional
			Felony	3	Felony			Life
			Armed felony or attempted felony	3	Armed felony or attempted felony			Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
r. (cont.)	01/01/72	1971 Acts C.743, §85, 432, p. 1901, 2002 & prior law	Armed felony or attempted felony	1	Armed felony or attempted felony			15 years additional
			Violent felony	1	Felony within 7 years			30 years
			Armed felony or attempted felony	2	Armed felony or attempted felony			25 years additional
			Armed felony or attempted felony	3	Armed felony or attempted felony			Life
	pre-1860		No habitual offender statute					
ennsylvania	1860	1860 Acts No. 374, §182, p. 426	Prison offense	1	Prison offense			Double Maximum
	05/10/09	1909 Acts No.275, §6, p. 495	Prison offense	2	Prison offense	1 year each	30 years without parole	

HABITUAL OFFENDER STATUTES: 1776-1980

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
a. (cont.) Puerto Rico	04/29/29	1929 Acts No. 373, §1-2, p. 854	Specified drug, violent, semi- violent, or sex offense	1	Specified drug, violent, semi- violent, or sex offense in 5 yrs			Double Maximum
			Specified drug, violent, semi- violent, or sex offense in 5 yrs	3	Specified drug, violent, semi- violent, or sex offense in 5 yrs			Life
	06/27/78	1978 Acts P.L.202, No.53, §2(a), p. 931	No habitual offender statute					
	pre-03/01/02		No habitual offender statute					
	03/01/02	1922 Acts P.C. Tit.4, §56-57, 59, p. 480	Petty larceny or attempted prison offense	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
R. (cont.)	07/22/74	1974 Acts No. 115, C.6, Art. 61-62, 74, p. 436, 439-40	Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life
			Felony	2	Felony	5 years each	15 years	
			Prison offense	1	Felony within 10 years		3 years without parole	One and one- half maximum without parole for 3 years
			Felony	1	Same felony within 15 years		3 years without parole	One and one- half maximum without parole for 3 years
	02/29/76	1975 Acts No.10, §1-2, p. 958 & prior law	Prison offense	2	Prison offense within 10 years		3 years without parole	Double maximum without parole for 3 years
			Prison offense	2	Same offense within 15 years		3 years without parole	Double maximum without parole for 3 years
			Prison offense	1	Felony within 10 years		3 years without parole	Life without parole for 1-1/2 minimum

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
P.R. (cont.)			Felony	1	Same felony within 15 years		3 years without parole	Life without parole for 1-1/2 maximum
			Felony	2	Felony within 10 years		12 years without parole	Life without parole for 12 years
			Felony	2	Same felony within 15 years		12 years without parole	Life without parole for 12 years
Rhode Island	pre-1896		No habitual offender statute					
	1896	1896 Acts C.336, §1, p. 45	Prison offense	2	Prison offense	Prison term	25 years additional	
	04/23/15	1915 Acts C.1261, §71, p. 238	Prison offense	2	Prison offense	Prison term		25 years additional
South Carolina	pre-04/08/55		No habitual offender statute					

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
D.C. (cont.)	04/08/55	1955 Acts No.131, §1, p. 179	Specified violent felony or burglary	2	Specified violent felony or burglary		Maximum	
			Specified violent felony or burglary	3	Specified violent felony or burglary		Life	
South Dakota	pre-1877		No habitual offender statute					
	1877	1877 Acts P.C. C.58, §754, 756, p. 798	Petty larceny or attempted prison offense		Prison offense, petty larceny, or attempted prison offense	1		5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Any offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
D. (cont.)	03/08/27	1927 Acts C.119, §1-2, p. 142	Felony	1	Felony or attempted felony		One-half maximum	Double Maximum
			Felony	3	Felony or attempted felony			Life
	03/06/37	1937 Acts C.98, §1, p. 119	Felony	1	Felony or attempted felony			Double Maximum
			Felony	3	Felony or attempted felony			Life
	04/01/77	1976 Acts C.158, §7-9, p. 237	Felony	2	Felony within 20 years			Punishment for next highest felony category
			Felony	3	Felony within 20 years			Punishment for Class 1 felony
	10/01/77	1977 Acts C.189, §16-20, p. 262, §126, p. 282	Felony	1	Felony within 15 years		Punishment for next highest felony category	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
D. (cont.)			Felony	3	Felony within 15 years		Life	
Tennessee	pre-02/21/39		No habitual offender statute					
	02/21/39	1939 Acts C.22, §1-2, p. 105	Felony except petty larceny	3	2 specified violent felonies and 1 felony		Life without parole	
Texas	pre-1827		No habitual offender statute					
	1827	1827 Acts C.28, §11, p. 86	Felony	1	Felony			Life
	1836	1836 Acts §41, p. 193	Prison offense	1	Prison offense		Double term of first conviction	Life
	1857	1857 Acts P.C. Tit.22, Art.792, p. 156	Felony	1	Similar felony		Maximum	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Texas (cont.)			Felony	2	Felony		Life	
	01/01/74	1973 Acts C.399, §1, §12.42, p. 908	2d or 3d degree felony	1	Felony		Next highest felony category	
			First degree felony	1	Felony		15 years	Life or 99 years
			Felony	2	Felony		Life	
United States	pre-10/15/70		No habitual offender statute					
	10/15/70	1970 Acts No.91-452, Tit.X, §1001(a), 84 Stat. 948	Felony	2	Prison offense w/in 5 yrs pun- ishable by term exceeding 1 year	Prison term		25 years
Utah	pre-1896		No habitual offender statute					

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Utah (cont.)	1896	1896 Acts C.81, §27, p. 262	Felony	2	Prison offense	3 years each	15 years	Life
	05/08/51	1951 Acts C.77, §1, p. 294	Felony	2	Felony	Prison term	15 years	Life
	07/01/73	1973 Acts C.196, Pt.14, §76-10- 1401, p. 684	No habitual offender statute					
	05/13/75	1975 Acts C.46, §1, p. 132	Felony at least 2d degree	2	1 felony & 1 felony at least 2d degree	Prison term	5 years	Life
Vermont	pre-03/16/27		No habitual offender statute					
	03/16/27	1927 Acts No. 128, p. 120	Felony or attempted felony	3	Felony		Life	
	03/03/49	1949 Acts No. 201, p. 186	Felony or attempted felony	3	Felony			Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Virgin Islands	pre-08/01/20		No habitual offender statute					
	03/17/21	1921 Acts P.C. Tit.IV, C.11, §3, p. 334	Petty larceny or attempted prison offense	1	Prison offense, petty larceny, or attempted prison offense			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		5 years	Life
(St.T, St.J)			Felony	2	Similar felony			10 years
(St.C)			Felony	2	Similar felony			15 years

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
I. (cont.)	09/01/57	1957 Acts Tit.14, Subch.4, §61, p. 11	Felony	2	Felony		10 years	Life
	10/25/72	1972 Acts No. 3321, §1, p. 466	Specified violent or semi-violent felony	1	Violent misdemeanor punishable by term at least 6 mos.		One-fifth maximum without parole	Maximum without parole for 1/5 maximum
			Specified violent or semi-violent felony	1	Specified violent or semi-violent felony		One-third maximum without parole	Maximum without parole for 1/3 maximum
			Felony	2	Felony		10 years	Life
			Specified violent or semi-violent felony	2	At least one is specified violent or semi-violent felony		10 years without parole	Life without parole
	pre-1848		No habitual offender statute					
Virginia	1848	1848 Acts §13-14, p. 123	Prison offense with sentence	1	Prison offense	Prison term	5 years additional	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
a. (cont.)			Prison offense with sentence	2	Prison offense	Prison term	Life	
	02/09/16	1916 Acts C.29-30, p. 34-35	Prison offense with sentence	1	Prison offense	Prison term		5 years additional
			Prison offense with sentence	2	Prison offense	Prison term		Life
	04/01/66	1966 Acts C.341, p. 528	Prison offense, not 2d petty larceny, with sentence	1	Prison offense			Life
	03/29/77	1977 Acts C.499, p. 742	Prison offense, not 2d petty larceny, with sentence	1	Felony	Prison term	1 year additional without parole	
			Prison offense, not 3d petty larceny, with sentence	2	Felony	Prison term	3 years additional without parole	
			Prison offense, not 4th petty larceny, with sentence	3	Felony	Prison term	5 years additional without parole	Life

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
a. (cont.)	07/01/79	1979 Acts Ch.411	No habitual offender statute					
Washington	pre-03/14/03		No habitual offender statute					
	03/14/03	1903 Acts C.86, §3, p. 126	Felony	1	Felony		Double first sentence	Life
			Felony	2	Felony		Life	
	03/22/09	1909 Acts C.249, §34, p. 899	Felony, petty larceny, or fraud-type offense	1	Felony		10 years	Life
			Felony, petty larceny, or fraud-type offense	2	Petty larceny or fraudulent misdemeanor		10 years	Life
			Felony or fraudulent misdemeanor	2	Felony		Life	

TABLE 3 (cont.)

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Wash. (cont.)			Felony, petty larceny, or fraud-type offense	4	Petty larceny or fraudulent misdemeanor		Life	
West Virginia	pre-1870		No habitual offender statute					
	1870	1870 Acts C.152, §23-24, p.701	Prison offense	1	Prison offense	Prison term	5 years additional	
			Prison offense	2	Prison offense		Life	
Wisconsin	pre-1878		No habitual offender statute					
	1878	1878 Acts C.193, §4736, p. 1105	Prison offense	1	Prison offense	Prison term		25 years
	07/01/50	1949 Acts C.631, §171, p. 597	Prison offense	3	Misdemeanor within 5 years			2 years additional

STATE	EFFECTIVE DATE	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Wis. (cont.)			Prison offense	1	Felony within 5 years			15 years additional
	07/01/55	1955 Acts C.696, §939.62, p. 980	Prison offense	3	Misdemeanor within 5 years			2 years additional
			Prison offense punishable by 1 to 10 year term	1	Felony within 5 years		6 years additional	
			Prison offense punishable by term greater than 10 years	1	Felony within 5 years			10 years additional
Wyoming	pre-02/20/37		No habitual offender statute					
	02/20/37	1937 Acts C.68, p. 103	Felony	2	Felony		10 years	50 years
			Felony	3	Felony		Life	

TABLE 3 (cont.)

08/04/79

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Alabama	06/01/79	Code § 15-18-24 (1977); 13-A-5-9, 15-8-9 (Supp. 1978)	Prison offense	1	Same offense		One and one-fourth prior sentence	Maximum
			Class B or C felony	1	Felony		Minimum for next highest felony category	Maximum for next highest felony category
			Specified violent felony	1	Felony resulting in physical injury within 5 years		Minimum without parole	Maximum without parole
			Class A felony	1	Felony		15 years	Life or 99 years
Alaska	01/01/80	S. §§ 12.55.125 to .185, 33.15.180 (Supp. 1978)	Class C felony	1	Felony within 7 years		2 years without parole	5 years without parole for 2 years
			Class B felony	1	Felony within 7 years		4 years without parole	10 years without parole for 4 years
			Class A felony	1	Felony within 7 years		10 years without parole	20 years without parole for 10 years

TABLE 4

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Alas. (cont.)			Class C felony	2	Felony within 7 years		3 years without parole	5 years without parole for 3 years
			Class B felony	2	Felony within 7 years		6 years without parole	10 years without parole for 6 years
			Class A felony	2	Felony within 7 years		10 years without parole	20 years without parole for 10 years
Arizona	10/01/78	R.S.A. § 13-604, 13-702 to -703 (1979)	Class 4, 5, or 6 felony	1	Felony within 10 years		Minimum without parole for one-half of sentence	Double maximum without parole for one-half of sentence
			Class 2 or 3 felony	1	Felony		Minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 4, 5, or 6 armed or violent felony	1	Armed or violent felony		Double minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 2 or 3 armed or violent felony	1	Class 2 or 3 armed or violent felony		Double minimum without parole for two-thirds of sentence	Quadruple maxi mum w/o parole for two-thirds of sentence

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ariz. (cont.)			Class 4, 5, or 6 felony	2	Felony		Double minimum without parole for two-thirds of sentence	Treble maximum without parole for two-thirds of sentence
			Class 2 or 3 felony	2	Felony		Double minimum without parole for two-thirds of sentence	Quadruple maximum w/o parole for two-thirds of sentence
			Class 4, 5, or 6 armed or violent felony	2	Armed or violent felony		Treble minimum without parole for two-thirds of sentence	Quadruple maximum w/o parole for two-thirds of sentence
			Class 2 or 3 armed or violent felony	2	Class 2 or 3 armed or violent felony		Treble minimum without parole for two-thirds of sentence	Quintuple maximum w/o parole for two-thirds of sentence
Arkansas	03/17/77	S.A. §§ 41-1001 to -1005 (1977)	Unclassified felony	2	Felony		Minimum plus 3 years; judge need not apply statute	Maximum plus 5 years
			Class D felony	2	Felony			7 years
			Class C felony	2	Felony		3 years; judge need not apply statute	15 years

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ark. (cont.)			Class B felony	2	Felony		5 years; judge need not apply statute	30 years
			Felony pun- ishable by life sentence	2	Felony		10 years; judge need not apply statute	Life or 50 years
			Class A felony	2	Felony		10 years; judge need not apply statute	Life or 50 years
			Unclassified Felony	3	Felony		Minimum plus 7 years; judge need not apply statute	Double Maximum
			Class D felony	3	Felony		5 years; judge need not apply statute	10 years
			Class C felony	3	Felony		10 years; judge need not apply statute	20 years
			Class B felony	3	Felony		20 years; judge need not apply statute	40 years

TABLE 4 (cont.)

08/04/79

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ark. (cont.)			Felony punishable by life sentence	3	Felony		25 years; judge need not apply statute	Life or 50 years
			Class A felony	3	Felony		50 years; judge need not apply statute	Life
California	07/01/77	P.C. § 667.5 (West Supp. 1978)	Prison felony	1	Prison offense within 5 years	1 year	1 year additional for each prior	
			Specified violent felony	1	Specified violent or armed felony within 10 years	1 year	3 years additional for each prior	
Canal Zone	09/10/04	C. Tit. 6, § 111 (1963)	Prison offense punishable by term at most 5 years	1	Prison offense			10 years
			Prison offense	1	Petty larceny or attempted prison offense		Maximum	
			Prison offense punishable by term greater than 5 years	1	Prison offense		10 years	Life

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
C.Z. (cont.)			Felony	2	Felony	5 years each	15 years	
Colorado	07/01/76	R.S. § 16-13-101 (1978)	Felony pun- ishable by term greater than 5 years	2	Felony within 10 years		25 years	50 years
			Felony	3	Felony		Life	
Connecticut	10/01/71	G.S.A. § 53a-35, 53a-40 (1972 & Supp. 1978)	Class D felony	2	Prison offense	1 year		10 years without parole for 5 years
			Class C felony	2	Prison offense	1 year		20 years without parole for 10 years
			Class B felony	2	Prison offense	1 year		Life without parole for 25 years
			Specified violent offense	2	Specified violent prison offense	1 year		Life with- out parole for 25 years

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Delaware	06/22/70	C.A. Tit. II, § 4214-15 (Supp. 1978)	Specified violent or semi-violent felony	2	Specified violent or semi-violent felony		Life without parole	
			Felony	3	Felony other than specified violent or semi- violent felony			Life
District of Columbia	02/01/71	C.A. § 22-104 to -104a (1973)	Any offense	1	Any offense			One and one- half maximum
			Any offense	2	Any offense			Treble Maximum
			Felony	2	Felony			Life
Florida	07/01/75	S.A. § 775.084 (West 1976 & Supp. 1978)	Third degree felony	1	Felony within 5 years			10 years
			Second degree felony	1	Felony within 5 years			30 years

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Fla. (cont.)			First degree felony	1	Felony within 5 years			Life
			Third degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			10 years
			Second degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			30 years
			First degree felony	2	Prison offense punishable by term exceeding 1 yr w/in 5 yrs			Life
Georgia	12/21/53	C.A. § 27-2511 (1975)	Prison offense	1	Prison offense	Prison term	Maximum	
			Felony	3	Felony		Maximum without parole	
Hawaii	06/01/76	R.S. § 706-662 (1976 & Supp. 1978)	Specified violent or dangerous drug offense	1	Same offense		5 years without parole	

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Hawaii (cont.)			Class A or B armed felony	1	Armed felony		10 years without parole	Life
			Class C felony	2	Felony			10 years
			Class B felony	2	Felony			20 years
			Specified violent or dangerous drug offense	2	Same offense		10 years without parole	
			Class A felony	2	Felony			Life
Idaho	03/09/23	Code § 19-2514 (Supp. 1978)	Felony	2	Felony		5 years	Life
Illinois	02/01/78	A.S. C.38, §§ 33A to B, 1005- 5-3.2, 1005-8-1 to -3 (1978)	Specified armed offense	1	Specified armed offense within 5 years		1 year	6 years

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Ill. (cont.)			Specified armed felony	1	Felony within 5 years		2 years	10 years
			Class 1 or 2 felony	2	Class 1 or 2 felony		6 years	30 years
			Specified violent felony	2	Specified violent felony		Life without parole	
Indiana	10/01/77	C.A. § 35-50-2-8 (1979)	Felony or prison offense punish- able by term greater than 1yr	2	Felony or prison offense punish- able by term greater than 1yr		30 years additional	
Iowa	01/01/78	C.A. § 747.1 (West 1956); §§ 902.8-.9 (West Supp. 1979)	Class C or D felony	2	Felony		Greater of 3 yrs or minimum, without parole for 3 years	15 years without parole for 3 years
			Specified felony	2	Specified felony	3 years each		40 years
Kansas	01/01/79	C.C. & C.C.P. § 21-4504 (Vernon Supp. 1978)	Prison felony	1	Prison felony			Double Maximum

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Kan. (cont.)			Felony	2	Felony			Treble Maximum
Kentucky	03/29/76	R.S.A. § 532.080 (Supp. 1978)	Felony	1	Felony within 5 years	1 year	Next highest felony category without parole	
			Class C or D felony	2	Felony within 5 years	1 year	10 years without parole	20 years without parole for 10 years
			Class A or B felony	2	Felony within 5 years	1 year	20 years without parole for 10 years	Life without parole for 10 years
Louisiana	09/08/78	C.C.P.A. Art. 15:529.1 (1956 & Supp. 1978)	Felony	1	Felony within 5 years		One-third maximum	Double Maximum
			Felony	2	Felony within 5 years		One-half maximum	Double Maximum
			Felony	2	Violent felony or felony pun- ishable by term exceeding 12 yrs		Life without parole	

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
La. (cont.)			Felony	3	Felony within 5 years		Greater of 20 years or maximum	Life
			Felony	3	1 felony & 2 fel- onies violent or carrying more than 12 yr term		Life without parole	
Maine	03/01/76		No habitual offender statute					
Maryland	07/01/77	A.C. Art. 27, § 643B (Supp. 1978)	Specified violent offense or attempted offense	2	Specified violent offense or attempted offense	1 prison term	25 years	
			Specified violent offense or attempted offense	3	Specified violent offense or attempted offense	Prison term each	Life without parole	
Massachusetts	05/06/04	G.L.A. Ch. 279, § 25 (West 1972)	Felony	2	Prison offense	3 years each	Maximum	
Michigan	04/01/72	C.L.A. §§ 28.1082 to .1084 (Supp. 1979)	Felony	1	Felony or attempted felony			One and one- half maximum

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Mich. (cont.)			Felony	2	Felony or attempted felony			Double Maximum
			Specified drug offense	1	Specified drug offense			Double Maximum
			Felony pun- ishable by term less than 5 years	3	Felony or attempted felony			15 years
			Felony pun- ishable by term at least 5 years	3	Felony or attempted felony			Life
Minnesota	05/01/80	S.A. § 609.346 (Supp. 1978)	Specified violent offense	1	Specified violent offense		3 years	
Mississippi	01/01/77	C.A. §§99-19-81 to -83 (Supp. 1978)	Felony	2	Felony	1 year each	Maximum without parole	
			Felony	2	Felony; if #1 is nonviolent, then at least 1 violent felony	1 year each	Life without parole	

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Missouri	01/01/79	A.S. §§ 558.016, 571.015 (Supp. 1979)	Class D felony	1	Class A or B or dangerous felony			10 years
			Class C felony	1	Class A or B or dangerous felony			15 years
			Class B felony	1	Class A or B or dangerous felony			30 years
			Armed felony	1	Armed felony		5 years additional without parole for 5 years	Life without parole for 5 years
			Class D felony	2	Felony			10 years
			Class C felony	2	Felony			15 years
			Class B felony	2	Felony			30 years

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
o. (cont.)			Armed felony	2	Armed felony		10 years additional without parole for 10 years	Life without parole for 10 years
Montana	01/01/74	R.C.A. §§ 46-18-501 to -502 (1978)	Felony	1	Prison felony w/in 5 yrs punishable by term exceeding 1 year	1 year	5 years	100 years
Nebraska	10/22/67	R.S. § 29-2221 (1975)	Felony	2	Prison offense	1 year each	10 years	Greater of 60 years or maximum
Nevada	04/18/77	R.S. § 207.010 (1977)	Felony, petty larceny, or fraud-type offense	2	Felony		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Petty larceny or fraudulent misdemeanor		10 years	20 years
			Felony, petty larceny, or fraud-type offense	3	Felony		Life w/o parole 10 years; judge can dismiss habitual count	Life without parole; judge can dismiss habitual count
			Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life w/o parole 10 years; judge can dismiss habitual count	Life without parole; judge can dismiss habitual count

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
New Hampshire	11/01/73	R.S.A. § 651:6 (1974)	Felony	2	Prison offense	1 year each	10 years	30 years
New Jersey	09/01/79	S.A. § 2C:44-1 to -4 (West Supp. 1980)	No habitual offender statute					
New Mexico	07/01/79	S.A. §§ 40A-29-30 (Supp. 1979)	Felony	1	Prison felony punishable by term at least 1 year		1 year additional	
			Felony	2	Prison felony punishable by term at least 1 year		2 years additional	
			Felony	3	Prison felony punishable by term at least 1 year		4 years additional	
New York	09/01/78	P.L. §§ 70.04, 70.06-.10 (McKinney 1975 & Supp. 1978)	Specified nonviolent felony Class E	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		3 years without parole for 1-1/2 years	4 years without parole for 2 years
			Specified nonviolent felony Class D	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		4 years without parole for 2 years	7 years without parole for 3-1/2 years

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)			Specified nonviolent felony Class C	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		6 years without parole for 3 years	15 years without parole for 7-1/2 years
			Specified nonviolent felony Class B	1	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		9 years without parole for 4-1/2 years	25 years without parole for 12-1/2 years
			Specified violent felony Class D	1	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		5 years without parole for 2-1/2 years	7 years without parole for 3-1/2 years
			Specified violent felony Class C	1	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		8 years without parole for 4 years	15 years without parole for 7-1/2 years
			Specified violent felony Class B	1	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		12 years without parole for 6 years	25 years without parole for 12-1/2 years
			Specified nonviolent felony	2	Nonviolent felony w/in 10 yrs pun- ishable by term exceeding 1 yr			Life without parole for 25 years
			Specified violent felony Class D	2	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		Life without parole for 6 years	Life without parole for 25 years

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
N.Y. (cont.)			Specified violent felony Class C	2	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		Life without parole for 8 years	Life without parole for 25 years
			Specified violent felony Class B	2	Violent felony w/in 10 yrs pun- ishable by term exceeding 1 yr		Life without parole for 10 years	Life without parole for 25 years
North Carolina	07/06/67	G.S. §§ 14-7.1 to -7.6 (1969); § 14-7.1 (Supp. 1977)	Felony	3	Felony		20 years without parole for 15 years	Life without parole for 30 years
North Dakota	07/01/75	C.C. § 12.1-33-02.9 (1976 & Supp. 1977)	Violent felony	1	Violent felony			Life
			Class C felony	2	Class A or B felony			10 years
			Class B felony	2	Class A or B felony			20 years
			Class A felony	2	Class A or B felony			Life

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
D. (cont.)			Class C felony	3	1 Class B felony & 2 prison offenses below Class B felony			10 years
			Class B felony	3	1 Class B felony & 2 prison offenses below Class B felony			20 years
			Class A felony	3	1 Class B felony & 2 prison offenses below Class B felony			Life
Ohio	01/01/74	R.C.A. §§ 2929.01, 2929.11- .12 (Page 1975 & Supp. 1978)	No habitual offender statute					
klahoma	10/01/78	S.A. Tit. 21, §§ 51-52 West Supp. 1978)	Petty larceny or attempted prison offense	1	Prison offense within 10 years			5 years
			Prison offense punishable by term at most 5 years	1	Prison offense within 10 years			10 years
			Prison offense punishable by term greater than 5 years	1	Prison offense within 10 years		10 years	Life

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Okla. (cont.)			Felony	2	Felony within 10 years		20 years	Life
Oregon	01/01/72	R.S. §§ 161.725, 166.230 (1977)	Armed felony or attempted felony	1	Armed felony or attempted felony			15 years additional
			Violent felony	1	Felony within 7 years			30 years
			Armed felony or attempted felony	2	Armed felony or attempted felony			25 years additional
			Armed felony or attempted felony	3	Armed felony or attempted felony			Life
Pennsylvania	06/27/78		No habitual offender statute					
Puerto Rico	02/29/76	L.A. Tit. 33, §§ 3301-02, 3375 (Supp. 1977)	Prison offense	1	Felony within 10 years		3 years without parole	Life without parole for 1-1/2 minimum

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONAR MAXIMUM
P.R. (cont.)			Felony	1	Same felony within 15 years		3 years without parole	Life without parole for 1-1/2 maximum
			Felony	2	Felony within 10 years		12 years without parole	Life without parole for 12 years
			Felony	2	Same felony within 15 years		12 years without parole	Life without parole for 12 years
Rhode Island	04/23/15	G.L. § 12-19-21 (1969)	Prison offense	2	Prison offense	Prison term		25 years additional
South Carolina	04/08/55	Code § 17-25-40 (1976)	Specified violent felony or burglary	2	Specified violent felony or burglary		Maximum	
			Specified violent felony or burglary	3	Specified violent felony or burglary		Life	
South Dakota	10/01/77	C.L.A. §§ 22-6-1, 22-7-7 to -9 (Supp. 1978)	Felony	1	Felony within 15 years		Punishment for next highest felony category	

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
S.D. (cont.)			Felony	3	Felony within 15 years		Life	
Tennessee	02/21/39	C.A. § 40-2801, 40-2806 (1975)	Felony except petty larceny	3	2 specified violent felonies and 1 felony		Life without parole	
Texas	01/01/74	P.C.A. § 12.42 (Vernon 1974)	2d or 3d degree felony	1	Felony		Next highest felony category	
			First degree felony	1	Felony		15 years	Life or 99 years
			Felony	2	Felony		Life	
United States	10/15/70	18 U.S.C. 3575 (1976)	Felony	2	Prison offense w/in 5 yrs pun- ishable by term exceeding 1 year	Prison term		25 years
Utah	05/13/75	C.A. § 76-8-1001 (1977)	Felony at least 2d degree	2	1 felony & 1 felony at least 2d degree	Prison term	5 years	Life

TABLE 4 (cont.)

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Vermont	03/03/49	S.A. Tit. 13, § 11 (1974)	Felony or attempted felony	3	Felony			Life
Virgin Islands	10/25/72	C.A. Tit. 14, § 61 (Supp. 1978)	Specified violent or semi-violent felony	1	Violent mis- demeanor pun- ishable by term at least 6 mos.		One-fifth maximum without parole	Maximum without parole for 1/5 maximum
			Specified violent or semi-violent felony	1	Specified violent or semi-violent felony		One-third maximum without parole	Maximum without parole for 1/3 maximum
			Felony	2	Felony		10 years	Life
			Specified violent or semi-violent felony	2	At least one is specified vio- lent or semi- violent felony		10 years without parole	Life without parole
Virginia	07/01/79		No habitual offender statute					
Washington	03/22/09	R.C.A. § 9.92.090 (1975)	Felony, petty larceny, or fraud-type offense	1	Felony		10 years	Life

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Wash. (cont.)			Felony, petty larceny, or fraud-type offense	2	Petty larceny or fraudulent misdemeanor		10 years	Life
			Felony or fraudulent misdemeanor	2	Felony		Life	
			Felony, petty larceny, or fraud-type offense	4	Petty larceny or fraudulent misdemeanor		Life	
West Virginia	1870	Code § 61-11-18 (1977)	Prison offense	1	Prison offense	Prison term	5 years additional	
			Prison offense	2	Prison offense		Life	
Wisconsin	07/01/55	S.A. § 939.62 (West 1975 & Supp. 1978)	Prison offense	3	Misdemeanor within 5 years			2 years additional
			Prison offense punishable by 1 to 10 year term	1	Felony within 5 years		6 years additional	

CURRENT HABITUAL OFFENDER STATUTES

STATE	EFFECTIVE DATE	CURRENT CODE CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM	DISCRETIONARY MAXIMUM
Wis. (cont.)			Prison offense punishable by term greater than 10 years	1	Felony within 5 years			10 years additional
Wyoming	02/20/37	S. §§ 6-1-109 to -110 (1977)	Felony	2	Felony		10 years	50 years
			Felony	3	Felony		Life	

08/04/79

STATES PREVIOUSLY MANDATING LIFE SENTENCE FOR ANY OR NONVIOLENT FELONIES

STATE	EFFECTIVE & END DATES	# OF YEARS	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM
Alaska	39 03 09 63 01 01	24	1939 Acts C.53, §1-2, p. 138	Felony	3	Felony		Life
California	27 07 29 31 08 14	4	1927 Acts C.634, §1, p. 1066	Felony	2	Specified offense		Life without parole for 12 years
California	27 07 29 31 08 14		1927 Acts C.634, §1, p. 1066	Felony	3	Felony		Life without parole
Florida	27 06 03 72 01 01	45	1927 Acts C.12022, No. 217, §1-2, p. 621	Felony	3	Felony or attempted felony		Life
Indiana	07 04 10 77 10 01	70	1907 Acts C. 82, §1, p. 109	Felony	2	Felony	Prison term	Life
Kansas	27 06 01 37 06 30	12	1927 Acts C.191, §1, p. 247	Felony	2	Felony		Life
Kansas	37 06 30 39 06 30		1937 Acts Prior law	Felony	2	Felony		Life

TABLE 5

8/04/79

STATES PREVIOUSLY MANDATING LIFE SENTENCE FOR ANY OR NONVIOLENT FELONIES

STATE	EFFECTIVE & END DATES	# OF YEARS	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM
Kentucky	1881 75 01 01	94	1881 Acts C.29, Art.1, §12, p. 318	Felony	2	Felony		Life
Louisiana	28 07 07 42 07 07	14	1928 Acts No. 15, §1-2, p. 17	Felony	3	Felony or attempted felony		Life
Massachusetts	1818 1833	15	1817 Acts C.176, §5, 6, p. 447	Prison offense	2	Prison offense	Prison term	Life plus 30 days solitary confinement
Michigan	27 09 05 29 04 02	22	1927 Acts No. 175, C.9, §10-12, p. 324	Felony	3	Felony or attempted felony		Life
Michigan	29 04 02 49 09 23		1929 Acts No. 24, C.9, §10-12, p. 52-53	Felony pun- ishable by term at least 5 years	3	Felony		Life
Nevada	12 01 01 67 07 01	55	1911 Acts C.7, §6292, p. 1811	Felony, petty larceny, or fraud-type offense	3	Felony		Life
Nevada	12 01 01 67 07 01		1911 Acts C.7, §6292, p. 1811	Felony, petty larceny, or fraud-type offense	5	Petty larceny or fraudulent misdemeanor		Life

TABLE 5 (cont.)

8/04/79

STATES PREVIOUSLY MANDATING LIFE SENTENCE FOR ANY OR NONVIOLENT FELONIES

STATE	EFFECTIVE & END DATES	# OF YEARS	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM
New Jersey	40 11 19 50 07 06	13	1940 Acts C.219, §1-3, p. 889	Any offense	3	High misdemeanor		Life
New Jersey	50 07 06 53 05 22		1950 Acts Prior law	Any offense	3	High misdemeanor		Life
New Mexico	29 03 11 79 07 01	50	1929 Acts C.58, p. 83	Felony	3	Felony		Life
New York	1796 1881	110	1796 Acts C.30, p. 669	Felony above petty larceny unless punish- able by death	1	Felony above petty larceny unless punish- able by death		Life
New York	07 09 01 20 09 01		1907 Acts C.645, p. 1494	Felony	3	Felony or attempted felony		Life
New York	20 09 01 32 04 04		1920 Acts Prior law	Felony	3	Felony		Life
io	1885 29 04 02	44	1885 Acts H.B.No. 751, §2, p. 236	Prison felony	2	Prison felony	Prison term each	Life

TABLE 5 (cont.)

8/04/79

STATES PREVIOUSLY MANDATING LIFE SENTENCE FOR ANY OR NONVIOLENT FELONIES

STATE	EFFECTIVE & END DATES	# OF YEARS	CITE	PRESENT OFFENSE	NUMBER OF PRIORS	PREVIOUS OFFENSES	PREVIOUS SENTENCES	MANDATORY MINIMUM
Oregon	21 02 14 27 03 03	26	1921 Acts C.70, §1, p. 97	Prison felony	2	Prison felony		Life
Oregon	27 03 03 47 07 05		1927 Acts C.334, §1-3, p.432	Felony	3	Felony or attempted felony		Life
Vermont	27 03 16 49 03 03	22	1927 Acts No. 128, p. 120	Felony or attempted felony	3	Felony		Life
Virginia	1848 16 02 09	68	1848 Acts §13-14, p. 123	Prison offense with sentence	2	Prison offense	Prison term	Life

HABITUAL OFFENDER STATUTES,
CATEGORIZED BY LENGTH OF PUNISHMENT AND TYPE OF OFFENSES: 1900-1980

MANDATORY LIFE SENTENCE

PRESENT OFFENSE

PAST OFFENSE

COMBINED PRESENT AND PAST OFFENSES

1900

Any: Texas, West Virginia, Kentucky, Ohio,
Virginia (s)

Any 2: Kentucky, Texas, West Virginia, Ohio (j)
Virginia (j)

Any 3: Texas, West Virginia, Kentucky, Ohio (j),
Virginia (j)

1905

Any: Texas, West Virginia, Washington,
Kentucky, Ohio, Virginia (s)

Any 2: Kentucky, Texas, Washington, Ohio, (j),
Virginia (j), West Virginia

Any 3: Texas, West Virginia, Washington,
Kentucky, Ohio (j), Virginia (j)

1910

Any: Texas, West Virginia, Kentucky,
New York, Indiana, Ohio,
Washington, Virginia (s)

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j), Ohio (j),
Virginia (j)

Any 3: Texas, West Virginia, Kentucky,
Washington, Indiana (j), Ohio (j),
Virginia (j)

Any 3: New York

Any 4: New York

NV 4: Washington

NV 5: Washington

1915

Any: Kentucky, Nevada, New York, Texas,
Washington, West Virginia, Indiana,
Ohio, Virginia (s)

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j), Ohio (j),
Virginia (j)

Any 3: Kentucky, Texas, Washington, West
Virginia, Indiana (j), Ohio (j),
Virginia (j,s)

MANDATORY LIFE SENTENCE (cont.)

PRESENT OFFENSE

PAST OFFENSE

COMBINED PRESENT AND PAST OFFENSES

1915 (cont.)

Any 3: New York

NV 4: Washington

NV 5: Nevada

Any 4: Nevada, New York

NV 5: Washington

NV 6: Nevada

1920

Any: Kentucky, Nevada, New York, Texas,
Washington, West Virginia, Indiana,
Ohio

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j), Ohio (j)

Any 3: Kentucky, Texas, Washington, West
Virginia, Indiana (j), Ohio (j)

Any 3: Nevada, New York

NV 4: Washington

NV 5: Nevada

NV 5: Washington

NV 6: Nevada

1925

Any: Kentucky, Nevada, New York, Oregon,
Texas, Washington, West Virginia,
Indiana, Ohio, California

Any 2: Kentucky, Oregon, Texas, Washington,
West Virginia, Indiana (j), Ohio (j)

Any 3: Kentucky, Oregon, Texas, Washington,
West Virginia, Indiana (j), Ohio (j)

Any 3: Nevada, New York

NV 4: Washington

NV 5: Nevada

SV 3: California

Any 4: Nevada, New York

NV 5: Washington

NV 6: Nevada

SV 4: California

MANDATORY LIFE SENTENCE (cont.)

<u>PRESENT OFFENSE</u>	<u>PAST OFFENSE</u>	<u>COMBINED PRESENT AND PAST OFFENSES</u>
	<u>1930</u>	
Any: California, Florida, Kansas, Kentucky, Louisiana, Nevada, New Mexico, New York, Oregon, Texas, Vermont, Washington, West Virginia, Indiana, Michigan (m)	Any 2: Kansas, Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kansas, Kentucky, Texas, Washington, West Virginia, Indiana (j)
V : Missouri	Any 3: California, Florida, Louisiana, Michigan, Nevada, New Mexico, New York, Oregon, Vermont	Any 4: California, Florida, Louisiana, Nevada, New Mexico, New York, Oregon, Vermont, Michigan (m)
O : Colorado, Ohio	NV 2: California	NV 3: California
	NV 4: Washington,	NV 5: Washington
	NV 5: Nevada	NV 6: Nevada
	V 3: Missouri	V 4: Missouri
	O 3: Colorado, Ohio	O 4: Colorado, Ohio
	<u>1935</u>	
Any : Florida, Kansas, Kentucky, Louisiana, Nevada, New Mexico, Oregon, Texas, Vermont, Washington, West Virginia, Indiana, California, Michigan (m)	Any 2: Kansas, Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kansas, Kentucky, Texas, Washington West Virginia, Indiana (j)
V : Missouri	Any 3: Florida, Louisiana, Michigan, Nevada, New Mexico, Oregon, Vermont	Any 4: Florida, Louisiana, Michigan Nevada, New Mexico, Oregon, Vermont
O : Colorado, Ohio	NV 4: Washington	NV 5: Washington
	NV 5: Nevada	NV 6: Nevada
		V 4: Missouri

MANDATORY LIFE SENTENCE (cont.)

PRESENT OFFENSE

PAST OFFENSE

COMBINED PRESENT AND PAST OFFENSES

1935 (cont.)

V 3: Missouri

O 2: California (j)

O 3: Colorado, Ohio, California (j)

O 3: California (j)

O 4: California (j), Colorado, Ohio

1940

Any: Alaska, Florida, Kentucky, Louisiana,
Nevada, New Mexico, Oregon, Texas,
Vermont, Washington, West Virginia,
Wyoming, Indiana, Nevada, California,
Michigan (m)

NV : Tennessee

V : Missouri

O : Colorado, Ohio

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j)

Any 3: Alaska, Florida, Louisiana, Michigan,
Nevada, New Mexico, Oregon, Vermont,
Wyoming

NV 4: Washington

NV 5: Nevada

V 3: Missouri, Tennessee

O 2: California (j)

O 3: Colorado, Ohio, California (j)

Any 3: Kentucky, Texas, Washington,
West Virginia, Indiana (j)

Any 4: Alaska, Florida, Louisiana,
Nevada, New Mexico, Oregon,
Vermont, Wyoming, Michigan (m)

NV 5: Washington

NV 6: Nevada

V 4: Missouri

O 3: California

O 4: California (j)

1945

Any: Alaska, California, Florida, Kentucky,
Nevada, New Jersey, New Mexico, Oregon,
Texas, Vermont, Washington, West
Virginia, Wyoming, Indiana,
Michigan (m)

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j)

Any 3: Alaska, Florida, Michigan, Nevada,
New Jersey, New Mexico, Oregon,
Vermont, Wyoming

Any 3: Kentucky, Texas, Washington, West Virginia
Indiana (j)

Any 4: Alaska, Florida, Nevada, New Jersey,
New Mexico, Oregon, Vermont, Wyoming
Michigan (m)

TABLE 6A (cont.)

MANDATORY LIFE SENTENCE (cont.)

PRESENT OFFENSE

PAST OFFENSE

COMBINED PRESENT AND PAST OFFENSES

1945 (cont.)

NV: Tennessee
V: Missouri
O: Colorado, Ohio

NV 4: Washington
NV 5: Nevada
V 3: Missouri, Tennessee
O 2: California (j)
O 3: Colorado, Ohio, California (j)

NV 5: Washington
NV 6: Nevada
V 4: Missouri, Tennessee
O 3: California (j)
O 4: California (j), Colorado, Ohio

1950

Any: Alaska, Colorado, Florida, Kentucky,
Nevada, New Jersey, New Mexico, Texas,
Washington, West Virginia, Wyoming,
Indiana
NV: Tennessee
SV: California
V: Missouri
O: Ohio

Any 2: Kentucky, Texas, Washington, West
Virginia, Indiana (j)
Any 3: Alaska, Colorado, Florida, Nevada,
New Jersey, New Mexico, Wyoming
NV 2: California (j)
NV 3: California (j)
NV 4: Washington
NV 5: Nevada
V 3: Missouri, Tennessee
O 3: Ohio

Any 3: Kentucky, Texas, Washington, West
Virginia, Indiana (j)
Any 4: Alaska, Colorado, Florida, Nevada,
New Jersey, New Mexico, Wyoming
NV 3: California (j)
NV 4: California (j)
NV 5: Washington
NV 6: Nevada
V 4: Missouri
O 4: Ohio

MANDATORY LIFE SENTENCE (cont.)

<u>PRESENT OFFENSE</u>	<u>PAST OFFENSE</u>	<u>COMBINED PRESENT AND PAST OFFENSES</u>
	<u>1955</u>	
Any: Alaska, Colorado, Florida, Kentucky, Nevada, New Mexico, Texas, Washington, West Virginia, Wyoming, Indiana	Any 2: Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kentucky, Texas, Washington, West Virginia, Indiana (j)
NV: Tennessee	Any 3: Alaska, Colorado, Florida, Nevada, New Mexico, Wyoming	Any 4: Alaska, Colorado, Florida, Nevada, New Mexico, Wyoming
SV: California	NV 2: California (j)	NV 4: California (j)
V: Missouri	NV 3: California (j)	NV 5: Washington
O: Ohio	NV 4: Washington	NV 6: Nevada
	NV 5: Nevada	SV 3: California (j)
	V 3: Missouri, Tennessee	V 4: Missouri, Tennessee
	O 3: Ohio	O 4: Ohio
	<u>1960</u>	
Any: Alaska, Colorado, Florida, Kentucky, Nevada, New Mexico, Texas, Washington, West Virginia, Wyoming, Indiana	Any 2: Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kentucky, Texas, Washington, West Virginia, Indiana (j)
NV: Tennessee	Any 3: Alaska, Colorado, Florida, Nevada, New Mexico, Wyoming	Any 4: Alaska, Colorado, Florida, Nevada, New Mexico, Wyoming
SV: California, South Carolina	NV 2: California (j)	NV 3: California (j)
V: Missouri	NV 3: California (j)	NV 4: California (j)

MANDATORY LIFE SENTENCE (cont.)

<u>PRESENT OFFENSE</u>	<u>PAST OFFENSE</u>	<u>COMBINED PRESENT AND PAST OFFENSES</u>
	<u>1960 (cont.)</u>	
O: Ohio	NV 4: Washington	NV 5: Washington
	NV 5: Nevada	NV 6: Nevada
	SV 3: South Carolina	SV 4: South Carolina
	V 3: Missouri, Tennessee	V 4: Missouri, Tennessee
	O 3: Ohio	O 4: Ohio
	<u>1965</u>	
Any: Colorado, Florida, Kentucky, Nevada, New Mexico, Texas, Washington, West Virginia, Wyoming, Indiana	Any 2: Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kentucky, Texas, Washington, West Virginia, Indiana (j)
NV: Tennessee	Any 3: Colorado, Florida, Nevada, New Mexico, Wyoming	Any 4: Colorado, Florida, Nevada, New Mexico, Washington, Wyoming
SV: California, South Carolina	NV 2: California (j)	NV 3: California (j)
V: Missouri	NV 3: California (j)	NV 4: California (j)
O: Ohio	NV 4: Washington	NV 5: Washington
	NV 5: Nevada	NV 6: Nevada
	SV 3: South Carolina	SV 4: South Carolina
	V 3: Missouri, Tennessee	V 4: Missouri, Tennessee
	O 3: Ohio	O 4: Ohio

MANDATORY LIFE SENTENCE (cont.)

<u>PRESENT OFFENSE</u>	<u>PAST OFFENSE</u>	<u>COMBINED PRESENT AND PAST OFFENSES</u>
	<u>1970</u>	
Any: Colorado, Florida, Kentucky, Nevada New Mexico, Texas, Washington, West Virginia, Wyoming, Indiana	Any 2: Kentucky, Texas, Washington, West Virginia, Indiana (j)	Any 3: Kentucky, Texas, Washington, West Virginia, Indiana (j)
NV: Tennessee	Any 3: Colorado, Florida, Nevada, New Mexico, Wyoming	Any 4: Colorado, Florida, Nevada, New Mexico, Wyoming
SV: California, South Carolina	NV 2: California (j)	NV 3: California (j)
V: Missouri	NV 3: California (j), Missouri, Tennessee	NV 4: California (j)
O: Ohio	NV 4: Washington	NV 5: Washington
	NV 5: Nevada	NV 6: Nevada
	SV 3: South Carolina	SV 4: South-Carolina
	V 3: Missouri, Tennessee	V 4: Missouri, Tennessee
	O 3: Ohio	O 4: Ohio
	<u>1975</u>	
Any: Colorado, Nevada, New Mexico, Texas, Washington, West Virginia, Wyoming, Indiana	Any 2: Texas, Washington, West Virginia, Indiana (j), Kentucky (j)	Any 3: Texas, Washington, West Virginia, Indiana (j)
NV: Tennessee	Any 3: Colorado, Nevada, New Mexico, Wyoming	Any 4: Colorado, Nevada, New Mexico, Wyoming
SV: California, Delaware, South Carolina	NV 2: California (j)	NV 3: California (j)
V: Kentucky, Missouri	NV 3: California (j)	NV 4: California (j)

MANDATORY LIFE SENTENCE (cont.)

PRESENT OFFENSE

PAST OFFENSE

COMBINED PRESENT AND PAST OFFENSES

1975 (cont.)

NV 4: Washington

NV 5: Nevada

SV 2: Delaware

V 3: Missouri, Tennessee

NV 5: Washington

NV 6: Nevada

SV 3: Delaware

SV 4: South Carolina

V 3: Kentucky (j)

V 4: Missouri, Tennessee

1980

Any: Colorado, Mississippi, South Dakota,
Nevada, Texas, Washington, West
Virginia, Wyoming, Louisiana

NV: Tennessee

SV: Delaware, South Carolina

V: Illinois, Maryland, New York

Any 2: Texas, Washington, West Virginia

Any 3: Colorado, Nevada, Wyoming, South
South Dakota (t)

NV 4: Washington

NV 5: Nevada

SV 2: Delaware

SV 3: South Carolina

V 2: Illinois, Louisiana, Mississippi (j),
New York (m,t)

V 3: Louisiana, Maryland, Tennessee
New York (m,t)

Any 3: Texas, Washington, West Virginia

Any 4: Colorado, Nevada, Wyoming
South Dakota (t)

NV 5: Washington

NV 6: Nevada

SV 3: Delaware

SV 4: South Carolina

V 3: Louisiana, Illinois, Mississippi (j),

V 4: Louisiana, Maryland, Tennessee

TABLE 6A (cont.)

HABITUAL OFFENDER STATUTES,
CATEGORIZED BY LENGTH OF PUNISHMENT AND TYPE OF OFFENSES: 1900-1980

DISCRETIONARY LIFE SENTENCE

<u>PRESENT</u>	<u>PAST</u>	<u>PRESENT AND PAST</u>
	<u>1900</u>	
Any: Louisiana, Maine, Utah, Michigan, South Dakota (m), North Dakota (m), Oklahoma (m), California (m), Mon- tana (m)	Any 1: California, Montana, North Dakota, Oklahoma, South Dakota, Maine (j)	Any 2: California (m), Montana (m), North Dakota (m), Maine (j), South Dakota (m), Oklahoma (m)
NV: Illinois	Any 2: Michigan (j), Utah (j)	Any 3: Michigan (j), Utah (j)
O: Iowa	Any 3: Louisiana	Any 4: Louisiana
	NV 2: Illinois	
		NV 3: Illinois
	O 2: Iowa	O 3: Iowa
	<u>1905</u>	
Any: Washington, Louisiana, Maine, Utah, Michigan, Arizona (m), Canal Zone (m), South Dakota (m), Puerto Rico (m), North Dakota (m), Oklahoma (m), California (m), Montana (m)	Any 1: Arizona, California, Canal Zone, Montana, North Dakota, Oklahoma, Puerto Rico, South Dakota, Wash- ington, Maine (j)	Any 2: Arizona (m), California (m), Canal Zone(m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), Washington, Maine (j)
NV: Illinois	Any 2: Michigan (j), Utah (j)	Any 3: Michigan (j), Utah (j)
	Any 3: Louisiana	Any 4: Louisiana
	NV 2: Illinois	NV 3: Illinois

DISCRETIONARY LIFE SENTENCE (cont.)

1910

Any: Washington, Louisiana, Maine, Utah,
Michigan, Arizona (m), Canal Zone
(m), Puerto Rico (m), North Dakota
(m), South Dakota (m), Oklahoma (m),
Montana (m), California (m)

NV: Illinois

Any 1: Arizona, Canal Zone, Montana, North
Dakota, Oklahoma, Puerto Rico, South
Dakota, Washington, Maine (j),

Any 2: Michigan (j), Utah (j)

Any 3: Louisiana

NV 1: California (j)

NV 2: Washington, Illinois

Any 2: Arizona (m), Canal Zone (m), Montana
(m), North Dakota, Oklahoma (m),
Puerto Rico (m), South Dakota (m),
Washington, Maine (j)

Any 3: Michigan (j), Utah (j)

Any 4: Louisiana

NV 2: California (j,m)

NV 3: Washington, Illinois

1915

Any: Washington, Nevada, Louisiana, Maine,
Utah, Michigan, Arizona (m), Canal
Zone (m), Puerto Rico (m), North
Dakota (m), South Dakota (m), Okla-
homa (m), Montana (m), California (m)

NV: Illinois

Any 1: Arizona, Canal Zone, Montana, North
Dakota, Oklahoma, Puerto Rico, South
Dakota, Washington, Maine (j)

Any 2: Nevada, Michigan (j), Utah (j)

Any 3: Louisiana

NV 1: California (j)

NV 2: Washington, Illinois

NV 3: Nevada

Any 2: Arizona (m), Canal Zone (m), Mon-
tana (m), Oklahoma (m), Puerto
Rico (m), South Dakota (m), Wash-
ington, Maine (j), North Dakota (m)

Any 3: Nevada, Michigan (j), Utah (j)

Any 4: Louisiana

NV 2: California (j,m)

NV 3: Washington, Illinois

NV 4: Nevada

DISCRETIONARY LIFE SENTENCE (cont.)

1920

Any: Washington, Nevada, Louisiana, Maine,
Utah, Michigan, Arizona (m), Canal Zone
(m), Puerto Rico (m), North Dakota (m),
South Dakota (m), Oklahoma (m), Montana
(m), California (m), Virginia (s)

NV: Illinois

Any 1: Arizona, Canal Zone, Montana, North
Dakota, Oklahoma, Puerto Rico, South
Dakota, Washington, Maine (j)

Any 2: Nevada, Michigan (j), Utah (j),
Virginia (j)

Any 3: Louisiana

NV 1: California (j)

NV 2: Washington, Illinois

NV 3: Nevada

Any 2: Arizona (m), Canal Zone (m), Montana
(m), North Dakota (m), Oklahoma
(m), Puerto Rico (m), South Dakota
(m), Washington, Maine (j),

Any 3: Nevada, Michigan (j), Utah (j),
Virginia (j,s)

Any 4: Louisiana

NV 2: California (j,m)

NV 3: Washington, Illinois

NV 4: Nevada

1925

Any: Washington, Idaho, Nevada, Louisiana,
Maine, Utah, Nebraska, Michigan, Cali-
fornia, Arizona (m), Canal Zone (m),
Puerto Rico (m), North Dakota (m), South
Dakota (m), Oklahoma (m), Montana (m),
Virgin Islands (m), California (m),
Virginia (s)

NV: Illinois

Any 1: Arizona, Canal Zone, Montana, North
Dakota, Oklahoma, Puerto Rico, South
Dakota, Virgin Islands, Washington,
ington, Maine (j),

Any 2: Idaho, Nevada, Michigan (j), Nebraska (j),
Utah (j), Virginia (j)

Any 3: Louisiana

NV 1: California (j)

Any 2: Arizona (m), Canal Zone (m), Montana
(m), North Dakota (m), Oklahoma (m),
Puerto Rico (m), Virgin Islands (m),
Washington, Maine (j), South Dakota
(m), District of Columbia

Any 3: Idaho, Nevada, Michigan (j), Nebraska (j),
Utah (j), Virginia (j,s)

Any 4: Louisiana

NV 2: California (j,m)

DISCRETIONARY LIFE SENTENCE (cont.)

1925 (cont.)

NV 2: Washington, Illinois
 NV 3: Nevada
 SV 2: California

NV 3: Washington, Illinois
 NV 4: Nevada
 SV 3: California

1930

Any: Kansas, Washington, Idaho, Nevada,
 Minnesota, New Jersey, South Dakota,
 Maine, Utah, Nebraska, Arizona (m),
 Canal Zone (m), Puerto Rico (m),
 Oklahoma (m), Montana (m), Virgin
 Islands (m), California (m), Vir-
 ginia (s)

NV: Illinois, North Dakota

SV: Pennsylvania (t)

Any 1: Arizona, Canal Zone, Kansas, Montana,
 Oklahoma, Puerto Rico, Virgin Islands,
 Washington, Maine (j)

Any 2: Idaho, Nevada, Nebraska (j), Utah (j),
 Virginia (j)

Any 3: Minnesota, New Jersey, South Dakota

NV 1: California (j)

NV 2: Washington, Illinois

NV 3: Nevada, North Dakota

SV 3: Pennsylvania (t)

Any 2: Arizona (m), Canal Zone (m), Kansas,
 Montana (m), Oklahoma (m), Puerto
 Rico (m), Virgin Islands (m), Wash-
 ington, Maine (j)

Any 3: Idaho, Nevada, Nebraska (j), Utah (j),
 Virginia (j,s)

Any 4: Minnesota, New Jersey, South Dakota

NV 2: California (j,m)

NV 3: Washington, Illinois

NV 4: Nevada, North Dakota

SV 4: Pennsylvania (t)

1935

Any: Kansas, Washington, Idaho, Nevada,
 Minnesota, New Jersey, South Dakota,
 Maine, Utah, Nebraska, Arizona (m),
 Canal Zone (m), Puerto Rico (m),

Any 1: Arizona, Canal Zone, Kansas,
 Montana, Oklahoma, Puerto Rico, Virgin
 Islands, Washington, Maine (j)

Any 2: Arizona (m), Canal Zone (m), Kansas,
 Montana (m), Oklahoma (m), Puerto
 Rico (m), Virgin Islands (m), Wash-
 ington, Maine (j)

DISCRETIONARY LIFE SENTENCE (cont.)

1925 (cont.)

Oklahoma (m), Montana (m), Virgin Islands (m), Virginia (s)	Any 2: Idaho, Nevada, Nebraska (j), Utah (j), Virginia (j)	Any 3: Idaho, Nevada, Nebraska (j), Utah (j), Virginia (j,s)
NV: Illinois, North Dakota, New York	Any 3: Minnesota, New Jersey, South Dakota	Any 4: Minnesota, New Jersey, South Dakota
SV: Pennsylvania (t)	NV 2: Washington, Illinois	NV 3: Washington, Illinois
	NV 3: Nevada, New York, North Dakota	NV 4: Nevada, New York, North Dakota,
	SV 3: Pennsylvania (t)	SV 4: Pennsylvania (t)

1940

Any: Kansas, Wasington, Idaho, Nevada, Minnesota, New Jersey, South Dakota, Maine, Utah, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Montana (m), Virgin Islands (m), Virginia (s)	Any 1: Arizona, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Virgin Islands, Washington, Maine (j)	Any 2: Arizona (m), Canal Zone (m), Kansas, Montana (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m), Wash- ington, Maine (j)
NV: Illinois, North Dakota, New York	Any 2: Idaho, Kansas, Nevada, Utah (j), Vir- ginia (j)	Any 3: Idaho, Kansas, Nevada, Utah (j), Virginia (j,s)
SV: Pennsylvania (t)	Any 3: Minnesota, New Jersey, South Dakota	Any 4: Minnesota, New Jersey, South Dakota
	NV 2: Washington, Illinois	NV 3: Washington, Illinois
	NV 3: Nevada, New York, North Dakota	NV 4: Nevada, New York, North Dakota
	SV 3: Pennsylvania (t)	SV 4: Pennsylvania (t)

1945

Any: Kansas, Washington, Idaho, Nevada, Minnesota, South Dakota, Maine,	Any 1: Arizona, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Virgin	Any 2: Arizona (m), Canal Zone (m), Kansas, Montana (m), Puerto Rico (m), Virgin
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DISCRETIONARY LIFE SENTENCE (cont.)

1935 (cont.)

Utah, Louisiana, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Montana (m), Virgin Islands (m), Virginia (s)	Islands, Washington, Maine (j)	Islands (m), Washington, Maine (j), Oklahoma (m)
NV: Illinois, North Dakota, New York	Any 2: Idaho, Kansas, Nevada, Utah (j), Virginia (j)	Any 3: Idaho, Kansas, Nevada, Utah (j), Virginia (j,s)
SV: Pennsylvania (t)	Any 3: Minnesota, South Dakota, Louisiana (t)	Any 4: Minnesota, South Dakota, Louisiana (t)
	NV 2: Washington, Illinois	NV 3: Washington, Illinois
	NV 3: Nevada, New York, North Dakota	NV 4: Nevada, New York, North Dakota
	SV 3: Pennsylvania (t)	SV 4: Pennsylvania (t)

1950

Any: Kansas, Washington, Idaho, Nevada, Minnesota, Vermont, South Dakota, Oregon, Maine, Utah, Louisiana, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Montana (m), Virgin Islands (m), Michigan (m), Virginia (s)	Any 1: Arizona, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Virgin Islands, Washington, Maine (j)	Any 2: Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Kansas, Puerto Rico (m), Virgin Islands (m), Washington, Maine (j)
NV: Illinois, North Dakota, New York	Any 2: Idaho, Kansas, Nevada, Utah (j), Virginia (j)	Any 3: Idaho, Kansas, Nevada, Utah (j), Virginia (j,s)
SV: Pennsylvania (t)	Any 3: Michigan, Minnesota, Oregon, South Dakota, Vermont, Louisiana (t)	Any 4: Michigan (m), Minnesota, Oregon, South Dakota, Vermont, Louisiana (t)
	NV 2: Washington, Illinois	NV 3: Washington, Illinois
	NV 3: Nevada, New York, North Dakota	NV 4: Nevada, New York, North Dakota
	SV 3: Pennsylvania (t)	SV 4: Pennsylvania (t)

DISCRETIONARY LIFE SENTENCE (cont.)

1955

Any: Arkansas, Kansas, Washington, Idaho, Nevada, Delaware, Minnesota, Vermont, New Jersey, South Dakota, Oregon, Maine, Utah, Louisiana, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Montana (m), Arizona (m), Virgin Islands (m), Michigan (m), Virginia (s)

NV: Illinois, North Dakota, New York

SV: Pennsylvania (t)

V: Oregon

Any 1: Arizona, Arkansas, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Virgin Islands, Washington, Maine (j)

Any 2: Arkansas, Idaho, Kansas, Nevada, Utah (j), Virginia (j)

Any 3: Arkansas, Delaware, Michigan, Minnesota, New Jersey, Oregon, South Dakota, Vermont, Louisiana (t)

NV 2: Washington, Illinois

NV 3: Nevada, New York, North Dakota

SV 2: New York

SV 3: Pennsylvania (t)

V 1: Oregon

Any 2: Arizona (m), Arkansas, Canal Zone (m), Kansas, Montana (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m), Washington, Maine (j)

Any 3: Arkansas, Idaho, Kansas, Nevada, Utah (j), Virginia (j,s)

Any 4: Arkansas, Delaware, Michigan (m), New Jersey, Oregon, South Dakota, Vermont, Louisiana (t), Minnesota

NV 3: Washington, Illinois

NV 4: Nevada, New York, North Dakota

SV 3: New York

SV 4: Pennsylvania (t)

V 2: Oregon

1960

Any: Arkansas, Kansas, Washington, Idaho, Virgin Islands, Nevada, Delaware, Minnesota, Vermont, New Jersey, South Dakota, Oregon, Maine, Utah, Louisiana, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Montana (m), Arizona (m), Michigan (m), Virginia (s)

Any 1: Arizona, Arkansas, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Washington, Maine (j)

Any 2: Arkansas, Idaho, Kansas, Nevada, Virgin Islands, Utah (j), Virginia (j)

Any 2: Arizona (m), Arkansas, Canal Zone (m), Kansas, Montana (m), Oklahoma (m), Puerto Rico (m), Washington, Maine (j)

Any 3: Arkansas, Idaho, Kansas, Nevada, Virgin Islands, Utah (j), Virginia (j,s)

DISCRETIONARY LIFE SENTENCE (cont.)

1960 (cont.)

NV: Illinois, North Dakota, New York
SV: Pennsylvania (t)
V: Oregon

Any 3: Arkansas, Delaware, Michigan, Minnesota,
New Jersey, Oregon, South Dakota, Vermont,
Louisiana (t)
NV 2: Washington, Illinois
NV 3: Nevada, New York, North Dakota
SV 2: New York
SV 3: Pennsylvania (t)
V 1: Oregon

Any 4: Arkansas, Delaware, Michigan (m), Minne-
sota, New Jersey, Oregon, South Dakota,
Vermont, Louisiana (t)
NV 3: Washington, Illinois
NV 4: Nevada, New York, North Dakota
SV 3: New York
SV 4: Pennsylvania (t)
V 2: Oregon

1965

Any: Arkansas, Kansas, Washington, Idaho,
Virgin Islands, Nevada, Alaska, Dela-
ware, Vermont, New Jersey, South Dakota,
Oregon, Maine, Utah, Louisiana, Canal
Zone (m), Puerto Rico (m), Oklahoma (m),
Montana (m), Arizona (m), Michigan (m),
Virginia (s)
NV: North Dakota, New York
SV: Pennsylvania (t)

Any 1: Arizona, Arkansas, Canal Zone, Kansas,
Montana, Oklahoma, Puerto Rico, Wash-
ington, Maine (j)
Any 2: Arkansas, Idaho, Kansas, Nevada, Virgin
Islands, Utah (j), Virginia (j)
Any 3: Alaska, Arkansas, Delaware, Michigan,
New Jersey, Oregon, South Dakota, Vermont,
Louisiana (t)
NV 2: Washington
NV 3: Nevada, New York, North Dakota
SV 2: New York
SV 3: Pennsylvania (t)

Any 2: Arizona (m), Arkansas, Canal Zone (m),
Kansas, Montana (m), Oklahoma (m),
Puerto Rico (m), Washington, Maine (j)
Any 3: Arkansas, Idaho, Kansas, Nevada, Virgin
Islands, Utah (j), Virginia (j,s)
Any 4: Alaska, Arkansas, Delaware, Michigan (m),
New Jersey, Oregon, South Dakota, Vermont,
Louisiana (t)
NV 3: Washington
NV 4: Nevada, New York, North Dakota
SV 3: New York
SV 4: Pennsylvania (t)

DISCRETIONARY LIFE SENTENCE (cont.)

1970

Any: Kansas, Washington, Idaho, Virgin Islands, New York, Nevada, Alaska, Delaware, North Carolina, Vermont, New Jersey, South Dakota, Oregon, Maine, Utah, Louisiana, Canal Zone (m), Puerto Rico (m), Nebraska (j), Oklahoma (m), Montana (m), Arizona (m), Michigan (m)

NV: North Dakota, Virginia (s)

SV: Pennsylvania (t)

V: Illinois, Connecticut, Oregon

Any 1: Arizona, Canal Zone, Kansas, Montana, Oklahoma, Puerto Rico, Virginia, Washington, Maine (j),

Any 2: Idaho, Kansas, Nevada, New York, Virgin Islands, Utah (j), Nebraska (j)

Any 3: Alaska, Delaware, Michigan, New Jersey, North Carolina, Oregon, South Dakota, Vermont, Louisiana (t)

NV 2: Washington

NV 3: Nevada, North Dakota

SV 3: Pennsylvania (t)

V 1: Connecticut, Illinois, Oregon

V 2: Connecticut

V 3: Oregon

Any 2: Arizona (m), Canal Zone (m), Kansas, Montana (m), Oklahoma (m), Puerto Rico (m), Washington, Maine (j)

Any 3: Idaho, Kansas, Nevada, New York, Virgin Islands, Utah (j), Nebraska (j)

Any 4: Alaska, Delaware, Michigan (m), New Jersey, North Carolina, Oregon, South Dakota, Vermont, Louisiana (t)

NV 2: Virginia (s)

NV 3: Washington

NV 4: Nevada, North Dakota

SV 4: Pennsylvania (t)

V 2: Connecticut, Illinois, Oregon

V 3: Connecticut

V 4: Oregon

1975

Any: Washington, District of Columbia, Idaho, Kansas, Virgin Islands, Alaska, North Carolina, Vermont, New Jersey, South Dakota, Maine, New York, Louisi-

Any 1: Arizona, Canal Zone, Oklahoma, Texas, Virginia, Washington, Maine (j), Florida (t), Montana (j,m,t)

Any 2: Arizona (m), Canal Zone (m), Oklahoma (m), Washington, Maine (j), Montana (j,m,t)

DISCRETIONARY LIFE SENTENCE (cont.)

1975 (cont.)

ana, Delaware, Montana, Canal Zone (m), Oklahoma (m), Arizona (m), Nebraska (j), Michigan (m)	Any 2: Connecticut, District of Columbia, Hawaii, Idaho, Kansas, Virgin Islands, Kentucky (j), New York (m,t), Nebraska (j)	Any 3: District of Columbia, Idaho, Kansas, Virgin Islands, New York (m,t), Nebraska (j)
NV: North Dakota, Virginia (s)	Any 3: Alaska, Michigan, New Jersey, North Carolina, South Dakota, Vermont, Louisiana (t)	Any 4: Alaska, Michigan (m), New Jersey, North Carolina, South Dakota, Vermont, Louisiana (t)
SV: Virgin Islands, Pennsylvania (t)	NV 2: Washington	NV 2: Virginia (s)
V: Texas, Hawaii, Florida, Illinois, Oregon, Connecticut	NV 3: Delaware, North Dakota	NV 3: Washington
O: Connecticut, Kentucky	SV 2: Virgin Islands	NV 4: Delaware, North Dakota
	SV 3: Pennsylvania (t)	SV 3: Virgin Islands
	V 1: Illinois	SV 4: Pennsylvania (t)
	V 2: Connecticut (j)	V 2: Texas, Florida (t), Illinois
	V 3: Oregon	V 3: Hawaii, Connecticut (j)
		V 4: Oregon
		O 3: Kentucky (j), Connecticut

1980

Any: Washington, District of Columbia, Idaho, Virgin Islands, North Carolina, Vermont, Nevada, Puerto Rico, Oklahoma, Louisiana, Montana, Washington, Delaware, Nebraska	Any 1: Alabama, Canal Zone, Mississippi, Texas, Washington, Florida (t), Oklahoma (t), Puerto Rico (t), Montana (j,m,t)	Any 2: Canal Zone (m), Mississippi (m). Washington, Oklahoma (m,t), Puerto Rico (t), Montana (j,m,t)
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DISCRETIONARY LIFE SENTENCE (cont.)

1980 (cont.)

(j), Canal Zone (m), Mississippi (m), Michigan (m), Oklahoma (m)	Any 2: Arkansas, Connecticut, District of Colum- bia, Hawaii, Idaho, Nebraska (j), Virgin Islands, Kentucky (j,t), Florida (m,t), Oklahoma (t), Puerto Rico (t)	Any 3: District of Columbia, Oklahoma (t), Puerto Rico (t), Idaho, Virgin Islands, Nebraska (j)
NV: New York	Any 3: Arkansas, Michigan, Nevada, North Carolina, Vermont, Louisiana (t)	Any 4: Michigan (m), Nevada, North Carolina, Vermont, Louisiana (t)
SV: Virgin Islands,		
V: Alabama, Texas, Arkansas, Hawaii, Florida, North Dakota, Missouri, Oregon, Connecticut, New York	NV 2: Washington, New York (m,t)	NV 3: Washington, New York (m,t)
	NV 3: Delaware, North Dakota	NV 4: Delaware, North Dakota
		NV 6: Nevada
O: Connecticut, Kentucky, Utah	SV 2: Utah, Virgin Islands	SV 3: Virgin Islands
	V 1: Hawaii, Missouri, North Dakota	V 2: Alabama, Texas, Florida (t), Hawaii, Missouri, North Dakota
	V 2: Missouri, Connecticut (j), New York (m,t)	V 3: Arkansas, Hawaii, Idaho, North Dakota, Florida (m,t), Missouri, Connecticut (j), New York (m,t)
	V 3: Oregon	V 4: Arkansas, Oregon
	O 1: Puerto Rico (t)	O 2: Puerto Rico (t)
	O 2: North Dakota, Puerto Rico (t)	O 3: Connecticut, Kentucky (j,t), North Dakota, Puerto Rico (t), Utah

HABITUAL OFFENDER STATUTES,
CATEGORIZED BY LENGTH OF PUNISHMENT AND TYPE OF OFFENSES: 1900-1980

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1900

Any: Kansas, Minnesota, Kentucky, New York, Missouri, Georgia, Massachusetts, Utah, West Virginia, Rhode Island, Michigan, South Dakota, Oklahoma, California, Montana, New York, North Dakota, Alabama, Texas, North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Connecticut (m), Virginia (s), Montana (m)

NV: North Dakota, Illinois

O: Iowa

Any 1: California, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, South Dakota, Georgia (j), Virginia (j), West Virginia (j), West Virginia (j)

Any 2: Massachusetts (j), Michigan (j), Rhode Island (j), Utah (j), Connecticut (m)

NV 1: California, Illinois, Montana, New York, North Dakota, Oklahoma, South Dakota

O 1: Alabama, Texas

O 2: Iowa

Any 2: Kansas, Minnesota, Kentucky, New York, Missouri, Georgia (j), West Virginia (j), North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Virginia (j,s), Montana (m)

Any 3: Massachusetts (j), Utah (j), Rhode Island (j), Michigan (j), Connecticut (m)

NV 2: South Dakota, Oklahoma, California, Montana, New York, North Dakota, Illinois

O 2: Alabama, Texas

O 3: Iowa

1905

Any: Kansas, Minnesota, Washington, Kentucky, New York, Missouri, Georgia, Canal Zone, Massachusetts, Utah, West Virginia, Rhode

Any 1: Arizona, California, Canal Zone, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma,

Any 2: Kansas, Minnesota, Washington, Kentucky, New York, Missouri, Georgia (j), West Virginia (j), Arizona (m), Canal Zone (m)

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1905 (cont.)

Island, Iowa, Puerto Rico, Michigan, Arizona, South Dakota, Oklahoma, Montana, New York, North Dakota, Alabama, Texas, Arizona (m), Canal Zone (m), Puerto Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Connecticut (s), Virginia (s), Montana (m)

NV: North Dakota, Illinois

O: Iowa

Puerto Rico, South Dakota, Washington, Georgia (j), Virginia (j), West Virginia (j)

Any 2: Canal Zone, Connecticut (j), Massachusetts (j), Michigan (j), Puerto Rico (j), Rhode Island (j), Iowa (j), Utah (j)

NV 1: Arizona, Canal Zone, Illinois, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota

NV 2: Illinois

O 1: Alabama, Texas

O 2: Iowa

Puerto Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Virginia (s,j), Montana (t)

Any 3: Canal Zone (j), Massachusetts (j), Utah (j), Rhode Island (j), Iowa (j), Puerto Rico (j), Michigan (j), Connecticut (j,s)

NV 2: Arizona, Canal Zone, Puerto Rico, South Dakota, Oklahoma, Montana, New York, North Dakota, Illinois

O 2: Alabama, Texas

O 3: Iowa

1910

Any: Kansas, Washington, Kentucky, New York, Minnesota, Missouri, Georgia, Canal Zone, Massachusetts, Utah, West Virginia, Rhode Island, Pennsylvania, Iowa, Puerto Rico, Michigan, California, Arizona, South Dakota, Oklahoma, Montana, North Dakota, Alabama, Texas, Arizona (m), Canal Zone (m), Puerto Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Connecticut (s), Virginia (s), Montana (t)

Any 1: Arizona, Canal Zone, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, Washington, California (j), Georgia (j), Virginia (j), West Virginia (j)

Any 2: Kansas, Washington, Kentucky, New York, Minnesota, Missouri, Georgia (j), West Virginia (j), California (j), Arizona (m), Canal Zone (m), Puerto Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), Virginia (s,j), Montana (m)

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1910 (cont.)

NV: North Dakota, Illinois

O: Iowa

Any 2: Canal Zone (j), Connecticut (j), Iowa (j), Massachusetts (j), Michigan (j), Pennsylvania (j), Puerto Rico (j), Rhode Island (j), Utah (j)

NV 1: Arizona, Canal Zone, Illinois, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j)

NV 2: Washington, Illinois

O 1: Alabama, Texas

O 2: Iowa

Any 3: Canal Zone (j), Massachusetts (j), Utah (j), Rhode Island (j), Pennsylvania (j), Iowa (j), Puerto Rico (j), Michigan (j), Connecticut (j,s)

NV 2: Arizona, Canal Zone, Puerto Rico, South Dakota, Oklahoma, Montana, New York, North Dakota, California (j,m), Illinois

NV 3: Washington, Illinois

O 3: Alabama, Texas

1915

Any: Kansas, Kentucky, Minnesota, Missouri, Nevada, New York, Washington, California, Canal Zone, Georgia, Iowa, Massachusetts, Michigan, Pennsylvania, Puerto Rico, Rhode Island, Utah, West Virginia, Montana, North Dakota, Oklahoma, South Dakota, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), California (m), Connecticut (s), Virginia (s)

NV: North Dakota, Illinois

O: Iowa

Any 1: Arizona, Canal Zone, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, Washington, California (j), Georgia (j), Virginia (j), Washington, California (j), Georgia (j), Virginia (j), West Virginia (j)

Any 2: Nevada, Canal Zone (j), Connecticut (j), Iowa (j), Massachusetts (j), Michigan (j), Pennsylvania (j), Puerto Rico (j), Rhode Island (j), Utah (j)

NV 1: Canal Zone, Illinois, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j)

Any 2: Kansas, Kentucky, Minnesota, Missouri, New York, Washington, California (j), Georgia (j), West Virginia (j), Arizona(m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), Virginia (j,s)

Any 3: Nevada, Canal Zone (j), Iowa (j), Massachusetts (j), Michigan (j), Pennsylvania (j), Rhode Island (j), Utah (j), Puerto Rico (j), Connecticut (j,s)

NV 2: Arizona, Canal Zone, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j,m), Illinois

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1915 (cont.)

NV 2: Washington, Illinois

NV 3: Nevada

O 1: Alabama, Texas

O 2: Iowa

NV 3: Washington, Illinois

NV 4: Nevada

O 2: Alabama, Texas

O 3: Iowa

1920

Any: Kansas, Kentucky, Minnesota, Missouri, Nevada, New York, Washington, California, Georgia, Iowa, Massachusetts, Michigan, Pennsylvania, Puerto Rico, Utah, West Virginia, Canal Zone, Montana, North Dakota, Oklahoma, South Dakota, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico, South Dakota (m), California (m), Connecticut (s)

Any 1: Arizona, Canal Zone, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, Washington, California (j), Georgia (j), West Virginia (j)

Any 2: Nevada, Canal Zone (j), Connecticut (j), Iowa (j), Massachusetts (j), Michigan (j), Pennsylvania (j), Puerto Rico (j), Utah (j)

NV 1: Canal Zone, Illinois, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j)

NV 2: Washington, Illinois

NV 3: Nevada

O 1: Alabama, Texas

O 2: Iowa

Any 2: Kansas, Kentucky, Minnesota, Missouri, New York, Washington, California (j), Georgia (j), West Virginia (j), Arizona (m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m)

Any 3: Nevada, Pennsylvania (j), Iowa (j), Massachusetts (j), Puerto Rico (j), Michigan (j), Utah (j), Connecticut (s,j), Canal Zone (j)

NV 2: Canal Zone, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j,m), Illinois

NV 3: Washington, Illinois

NV 4: Nevada

O 2: Alabama, Texas

O 3: Iowa

NV: North Dakota, Illinois

O: Iowa

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1925

Any: Idaho, Kansas, Kentucky, Minnesota, Missouri, Nevada, New York, Washington, California, Canal Zone, Georgia, Massachusetts, Michigan, Nebraska, Pennsylvania, Puerto Rico, Utah, Virgin Islands, West Virginia, Montana, North Dakota, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), California (m), Connecticut (s), Virgin Islands (m)

NV: North Dakota, Illinois

Any 1: Arizona, Canal Zone, Kansas, Kentucky, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, South Dakota, Virgin Islands, Washington, California (j), Georgia (j), West Virginia (j)

Any 2: Idaho, Nevada, Canal Zone (j), Connecticut (j), Massachusetts (j), Nebraska (j), Pennsylvania (j), Puerto Rico (j), Utah (j), Michigan (j)

NV 1: Canal Zone, Illinois, Montana, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j), Virgin Islands

NV 2: Washington, Canal Zone, Illinois

NV 3: Nevada

SV 2: California

O 1: Alabama, Texas

Any 2: Kansas, Kentucky, Minnesota, Missouri, New York, Washington, California (j), Georgia (j), West Virginia (j), Arizona (m), Canal Zone (m), Montana (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m), South Dakota (m)

Any 3: Idaho, Nevada, Canal Zone (j), Massachusetts (j), Michigan (j), Nebraska (j), Pennsylvania (j), Puerto Rico (j), Utah (j), Connecticut (s,j)

NV 2: Canal Zone, Montana, North Dakota, Oklahoma, Puerto Rico, South Dakota, California (j,m) Illinois Virgin Islands

NV 3: Washington, Illinois

NV 4: Nevada

SV 3: California

O 2: Alabama, Texas

1930

Any: Florida, Idaho, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nevada, New Jersey, New Mexico, New York, Oregon, South Dakota, Washington, California, Canal Zone, Georgia, Massachusetts, Nebraska,

Any 1: Arizona, Canal Zone, Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Washington, Virgin Islands, California (j), Georgia (j), West Virginia

Any 2: Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, New Jersey, New Mexico, Oregon, New York, South Dakota, Washington, California (j), West Virginia (j), Georgia (j), Arizona (m), Canal Zone (m), Virgin

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1930 (cont.)

Puerto Rico, Utah, West Virginia, Montana, Oklahoma, Alabama, Texas, Virgin Islands, Arizona (m), Connecticut (m), Michigan (m), California (m), Canal Zone (m), Puerto Rico (m), Virgin Islands (m), Montana (m), Oklahoma (m), Connecticut (s)

NV: Illinois

V: Missouri

Any 2: Idaho, Louisiana, Michigan, Nevada, New Mexico, Oregon, Canal Zone (j), Connecticut, (j), Massachusetts (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j)

Any 3: Michigan, Minnesota

NV 1: Canal Zone, Illinois, Montana, Oklahoma, Puerto Rico, California (j), Virgin Islands

NV 2: Washington, Illinois

NV 3: Nevada

V 1: Missouri

V 2: Missouri

O 1: Alabama, Colorado, Texas

O 2: Colorado, Ohio

Islands (m), Montana (m), Oklahoma (m), Puerto Rico (m), Connecticut (j,s)

Any 3: Idaho, Michigan, Nevada, New Mexico, Louisiana, Oregon, Canal Zone (j), Massachusetts (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j)

Any 4: Minnesota, Michigan (m)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, Virgin Islands, California (j,m), Illinois

NV 3: Washington, Illinois

NV 4: Nevada

V 2: Missouri

V 3: Missouri

O 2: Alabama, Texas, Colorado

O 3: Colorado

O 4: Ohio

1935

Any: Florida, Idaho, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nevada, New Jersey, New Mexico, New York,

Any 1: Arizona, Canal Zone, Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico,

Any 2: Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, New Jersey, New Mexico, New York, Oregon,

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1935 (cont.)

Oregon, South Dakota, Washington, Canal Zone, Georgia, Massachusetts, Nebraska, Puerto Rico, Utah, West Virginia, Montana, Oklahoma, Alabama, Texas, Virgin Islands, Arizona (m), Canal Zone (m), Michigan (m), Montana (m), Oklahoma (m), Puerto Rico (m), California (m), Virgin Islands (m), Connecticut (s)

New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Washington, Virgin Islands, Georgia (j), West Virginia (j)

South Dakota, Washington, Georgia (j), West Virginia (j), Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m)

NV: Illinois, New York

V: Missouri

O: Colorado, Ohio

Any 2: Idaho, Louisiana, Michigan, Nevada, New Mexico, Oregon, Canal Zone (j), Connecticut (j), Massachusetts (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j)

Any 3: Michigan, Minnesota

NV 1: California, Canal Zone, Illinois, Montana, Oklahoma, Puerto Rico, Virgin Islands

NV 2: Washington, Illinois

NV 3: Nevada, New York

V 1: Missouri

V 2: Missouri

O 1: Alabama, Colorado, Texas

O 2: Colorado, Ohio

Any 3: Idaho, Louisiana, Michigan, Nevada, New Mexico, Oregon, Canal Zone (j), Massachusetts (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j), Connecticut (s,j)

Any 4: Minnesota, Michigan (m)

NV 2: Canal Zone, Montana, Virgin Islands, Oklahoma, Puerto Rico, California (m), Illinois

NV 3: Illinois, Washington

NV 4: New York, Nevada

V 2: Missouri

V 3: Missouri

O 2: Alabama, Texas, Colorado

O 3: Colorado, Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1940

Any: Florida, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nevada, New Jersey, Oregon, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Montana, Oklahoma, Alabama, Virgin Islands, Texas, Arizona (m), Canal Zone (m), Virgin Islands (m), Michigan (m), Montana, Oklahoma (m), Puerto Rico (m), California (m), Connecticut (s)

NV: Alaska, California, Illinois, New York

V: California, Missouri

O: Colorado, Ohio

Any 1: Arizona, California, Canal Zone, Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, Oklahoma, Virgin Islands, Oregon, Puerto Rico, Washington, Georgia (j), West Virginia (j)

Any 2: Idaho, Kansas, Louisiana, Michigan, Nevada, New Mexico, Oregon, Wyoming, Canal Zone (j) Connecticut (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j), Massachusetts (j)

Any 3: Michigan, Minnesota

NV 1: Canal Zone, Illinois, Montana, Oklahoma, Virgin Islands, Puerto Rico, California (j)

NV 2: Washington, Illinois

NV 3: Alaska, Nevada, New York

V 1: Missouri

V 2: Missouri

O 1: Alabama, Colorado, Texas

O 2: Colorado, Ohio

Any 2: Florida, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, New Jersey, New York, Oregon, Washington, Georgia (j), West Virginia (j), Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m)

Any 3: Idaho, Kansas, Louisiana, Michigan, Nevada, New Mexico, Oregon, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), New Jersey (j), Puerto Rico (j), Utah (j), Connecticut (j,s)

Any 4: Minnesota, Michigan (m)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, California, Illinois, Virgin Islands, California (m,j)

NV 3: Washington, Illinois

NV 4: Nevada, Alaska, New York

V 2: California, Missouri

V 3: Missouri

O 2: Alabama, Texas, Colorado

O 3: Colorado, Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1945

Any: Florida, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nevada, New Mexico, Oregon, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Louisiana, Nevada, Montana, Oklahoma, Virgin Islands, Alabama, Texas, Arizona (m), Canal Zone (m), Michigan (m), Montana (m), New York (m), Oklahoma (m), Puerto Rico (m), California (m), Virgin Islands (m), Connecticut (s)

NV: Alaska, California, Illinois, New York

V: California, Missouri

O: Colorado, Ohio

Any 1: Arizona, California, Canal Zone, Florida, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, Virgin Islands, Washington, Georgia (j), West Virginia (j), Louisiana (t)

Any 2: Idaho, Kansas, Michigan, Nevada, New Mexico, Oregon, Wyoming, Canal Zone (j), Connecticut (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 3: Michigan, Minnesota, Louisiana (t)

NV 1: Canal Zone, Illinois, Montana, Virgin Islands, Oklahoma, Puerto Rico, California (j)

NV 2: Washington, Illinois

NV 3: Alaska, Nevada, New York

V 1: Missouri

V 2: Missouri

O 1: Alabama, Colorado, Texas

O 2: Colorado, Ohio

Any 2: Florida, Kansas, Kentucky, Michigan, Minnesota, Missouri, New Mexico, Oregon, Washington, Georgia (j), West Virginia (j), Louisiana (t), Arizona (m), Canal Zone (m), Montana (m), New York (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m)

Any 3: Idaho, Kansas, Michigan, Nevada, New Mexico, Oregon, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t), Connecticut (s,j)

Any 4: Minnesota, Louisiana (t), Michigan (m), Connecticut (j,s)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, California (j,m), California, Illinois, Virgin Islands

NV 3: Washington, Illinois

NV 4: Nevada, Alaska, New York

V 2: California, Missouri

V 3: Missouri

O 2: Alabama, Texas, Colorado

O 3: Colorado, Ohio

TABLE 6C (cont.)

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1950

Any: Colorado, Florida, Indiana, Kansas, Kentucky, Minnesota, Missouri, Nevada, New Mexico, Oregon, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Virgin Islands, Louisiana, Montana, Oklahoma, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), New York (m), Oklahoma (m), Puerto Rico (m), California (m), Virgin Islands

NV: Alaska, California, Illinois, New York

V: California, Missouri

O: Ohio

Any 1: Arizona, California, Canal Zone, Florida, Kansas, Kentucky, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Puerto Rico, Washington, Virgin Islands, Georgia (j), West Virginia (j), Louisiana (t)

Any 2: Colorado, Idaho, Kansas, Nevada, New Mexico, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 3: Minnesota, Oregon, Louisiana (t)

NV 1: Canal Zone, Illinois, Montana, Oklahoma, Virgin Islands, Puerto Rico, California (j)

NV 2: Washington, Illinois

NV 3: Alaska, Nevada, New York

V 1: Missouri

V 2: Missouri

O 1: Alabama, Texas

O 2: Ohio

Any 2: Florida, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Washington, Georgia (j), Puerto Rico (j), West Virginia (j), Louisiana (t), Arizona (m), Canal Zone (m), Virgin Islands (m), Montana (m), New York (m), Oklahoma (m), Puerto Rico (m)

Any 3: Colorado, Idaho, Kansas, Nevada, New Mexico, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Utah (j), Puerto Rico (j), Louisiana (t)

Any 4: Minnesota, Oregon, Louisiana (t)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, California (j,m), California, Illinois, Virgin Islands

NV 3: Washington, Illinois

NV 4: Nevada, Alaska, New York

V 2: California, Missouri

V 3: Missouri

O 2: Alabama, Texas

O 3: Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1955

Any: Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Minnesota, Missouri, Nevada, New Mexico, New York, Oregon, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Louisiana, Montana, Virgin Islands, Oklahoma, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Colorado (m), Virgin Islands (m)

NV: Alaska, California, Illinois, New York

SV: Delaware, New York

V: Colorado, Montana

O: Ohio

Any 1: Arizona, Arkansas, California, Canal Zone, Florida, Kansas, Kentucky, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Puerto Rico, Washington, Virgin Islands, Georgia (j), West Virginia (j), Louisiana (t)

Any 2: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 3: Louisiana (t), Arkansas, Georgia, Minnesota, Oregon

NV 1: Canal Zone, Illinois, Montana, Oklahoma, Puerto Rico, California (j), Virgin Islands

NV 2: Washington, Illinois

NV 3: Alaska, Nevada, New York

SV 1: Delaware, Missouri

SV 2: Delaware, New York, Missouri

V 1: Missouri

V 2: Missouri

O 1: Alabama, Texas

O 2: Ohio

Any 2: Arkansas, Florida, Kansas, Kentucky, Minnesota, Missouri, New Mexico, New York, Washington, West Virginia (j), Georgia (j), Louisiana (t), Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Virgin Islands (m)

Any 3: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Wyoming, Canal Zone (j), Georgia (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 4: Arkansas, Georgia, Minnesota, Oregon, Louisiana (t)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, California (m,j), California, Illinois, Virgin Islands

NV 3: Washington, Illinois

NV 4: Nevada, Alaska, New York

SV 2: Delaware

SV 3: Delaware, New York

V 2: California, Missouri

V 3: Missouri

O 2: Alabama, Texas

O 3: Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1960

Any: Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Minnesota, Nevada, New Mexico, New York, Oregon, Virgin Island, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Louisiana, Montana, Oklahoma, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Wisconsin (m), California (m)

NV: Alaska, California, Illinois, New York

SV: Delaware, New York, South Carolina

V: Colorado, Missouri

O: Ohio

Any 1: Arizona, Arkansas, California, Canal Zone, Florida, Kansas, Kentucky, Minnesota, Montana, New Mexico, New York, Oklahoma, Puerto Rico, Washington, Georgia (j), West Virginia (j), Louisiana (t), Wisconsin (t)

Any 2: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 3: Arkansas, Georgia, Minnesota, Oregon, Louisiana (t)

NV 1: Canal Zone, Illinois, Montana, Oklahoma, Puerto Rico, California (j)

NV 2: Washington, Illinois

NV 3: Alaska, Nevada, New York

SV 1: Delaware

SV 2: Delaware, New York, South Carolina

V 1: Missouri

V 2: Missouri

O 1: Alabama, Texas

O 2: Ohio

Any 2: Arkansas, Florida, Kansas, Kentucky, Minnesota, New Mexico, New York, Washington, Georgia (j), West Virginia (j), Louisiana (t), Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Wisconsin (m,t)

Any 3: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 4: Arkansas, Georgia, Minnesota, Oregon, Louisiana (t)

NV 2: Canal Zone, Montana, Oklahoma, Puerto Rico, California (j,m), California, Illinois

NV 3: Washington, Illinois

NV 4: Nevada, Alaska, New York

SV 2: Delaware

SV 3: Delaware, New York, South Carolina

V 2: California, Missouri

V 3: Missouri

O 2: Alabama, Texas

O 3: Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1965

Any: Alaska, Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Nevada, New Mexico, New York, Oregon, Virgin Islands, Washington, Wyoming, Canal Zone, Georgia, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Louisiana, Montana, Alabama, Texas, Arizona (m), Canal Zone (m), Montana (m), Puerto Rico (m), Wisconsin (m), California (m)

NV: California, New York

SV: Delaware, New York, South Carolina

Any 1: Arizona, Arkansas, California, Canal Zone, Florida, Kansas, Kentucky, Montana, New Mexico, New York, Puerto Rico, Washington, Georgia (j), West Virginia (j), Illinois (t), Louisiana (t), Wisconsin (t)

Any 2: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 3: Alaska, Arkansas, Georgia, Oregon, California (j), Louisiana (t)

NV 1: Canal Zone, Montana, Puerto Rico, California (j)

NV 2: Washington

NV 3: Nevada, New York

SV 1: Delaware

SV 2: Delaware, New York, South Carolina

V 1: Missouri

V 2: Missouri

O 1: Alabama, Texas

O 2: Ohio

Any 2: Arkansas, Florida, Kansas, Kentucky, New Mexico, Wyoming, Washington, New York, Georgia (j), West Virginia, Louisiana (t), Arizona (m), Canal Zone (m), Montana (m), Puerto Rico (m), Wisconsin (m,t)

Any 3: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 4: Alaska, Arkansas, Georgia, Oregon, Louisiana (t)

NV 2: Canal Zone, Montana, Puerto Rico, Wisconsin (m,t), California (j,m), California

NV 3: Washington

NV 4: Nevada, New York

SV 2: Delaware

SV 3: Delaware, New York, South Carolina

V 2: Illinois (t), Missouri, California

V 3: Missouri

O 2: Alabama, Texas

O 3: Ohio

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1970

Any: Alaska, Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Nevada, New Mexico, North Carolina, Virgin Islands, Washington, Wyoming, Canal Zone, Maine, Nebraska, Puerto Rico, Utah, West Virginia, Louisiana, Montana, Alabama, Texas (Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Wisconsin (m), California (t)

NV: California

SV: Delaware, South Carolina

V: California, Illinois, Connecticut, Missouri

O: Ohio

Any 1: Arizona, Arkansas, California, Canal Zone, Florida, Kansas, Kentucky, Montana, New Mexico, Oklahoma, Puerto Rico, Washington, Georgia (j), West Virginia (j), Wisconsin (t), Louisiana (t), Illinois (t)

Any 2: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Wyoming, Massachusetts (j), Nebraska (j), Puerto Rico (j), Utah (j), Canal Zone (j), Louisiana (t)

Any 3: Alaska, Arkansas, Georgia, North Carolina, Louisiana (t)

NV 1: Canal Zone, Montana, Puerto Rico, California (j)

NV 2: Washington

NV 3: Nevada

SV 1: Delaware

SV 2: Delaware, South Carolina

V 1: Connecticut, Illinois, Missouri

V 2: Connecticut, Missouri

O 1: Alabama, Texas

O 2: Ohio

Any 2: Arkansas, Florida, Kansas, Kentucky, New Mexico, Washington, Georgia (j), West Virginia (j), Louisiana (t), Arizona (m), Canal Zone (m), Montana (m), Oklahoma (m), Puerto Rico (m), Wisconsin (m,t)

Any 3: Arkansas, Colorado, Idaho, Kansas, Nevada, New Mexico, Virgin Islands, Nebraska (j), Massachusetts (j), Wyoming, Canal Zone (j), Puerto Rico (j), Utah (j), Louisiana (t)

Any 4: Alaska, Arkansas, Georgia, North Carolina, Louisiana (t)

NV 2: Canal Zone, Montana, Puerto Rico, California (j, m), California

NV 3: Washington

NV 4: Nevada

SV 2: Delaware

SV 3: Delaware, South Carolina

V 2: California, Illinois, Connecticut, Missouri

V 3: Connecticut, Missouri

O 2: Alabama, Texas

O 3: Ohio

TABLE 6C (cont.)

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1975

Any: Alaska, Arkansas, Colorado, Georgia, Indiana, Nevada, New Mexico, North Carolina, Virgin Islands, Washington, Wyoming, Canal Zone, Maine, Nebraska, New Hampshire, West Virginia, Montana, Louisiana, Puerto Rico, Alabama, Arizona (m), Canal Zone (m), Oklahoma (m), Wisconsin (m), California (m)

NV: New York, California, Texas

SV: South Carolina, Virgin Islands

V: California, Texas, Illinois, Montana

O: Kentucky, New York

Any 1: Arizona, Arkansas, California, Canal Zone, New Mexico, Oklahoma, Texas, Washington, Georgia (j), West Virginia (j), Montana (j,m,t), Louisiana (t), Puerto Rico (t), Wisconsin (m,t)

Any 2: Arkansas, Colorado, Idaho, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Kentucky (j), Massachusetts (j) Nebraska (j), New Hampshire (j), Louisiana (t), Puerto Rico (t)

Any 3: Alaska, Arkansas, Georgia, North Carolina Louisiana (t)

NV 1: Canal Zone, California (j)

NV 2: Washington

NV 3: Nevada

SV 1: Virgin Islands, Virgin Islands (j,s)

SV 2: South Carolina, Virgin Islands

V 1: Illinois, Missouri

V 2: Missouri

O 1: Alabama, Puerto Rico (t), New York (m,t)

O 2: Puerto Rico (t)

Any 2: Arkansas, New Mexico, Washington, Georgia (j), West Virginia (j), Montana (j,m,t), Louisiana (t), Puerto Rico (t), Arizona (m), Canal Zone (m), Oklahoma (m), Wisconsin (m,t) Wisconsin (m,t)

Any 3: Arkansas, Colorado, Idaho, Nevada, New Mexico, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska (j), New Hampshire (j), Louisiana (t), Puerto Rico (t)

Any 4: Alaska, Arkansas, Georgia, North Carolina, Louisiana (t)

NV 2: Canal Zone, California (j,m), New York (m,t), California, Texas

NV 3: Washington, California (t)

NV 4: Nevada

SV 2: Virgin Islands, Virgin Islands (j,s)

SV 3: South Carolina, Virgin Islands

V 2: California, Texas, Illinois, Missouri, Illinois (t)

V 3: Missouri

O 2: Alabama, New York (m,t), Puerto Rico (t)

O 3: Puerto Rico (t), Kentucky (j)

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1980

Any: Georgia, Indiana, Nevada, North Carolina, Virgin Islands, Washington, Wyoming, Canal Zone, Maine, Nebraska, New Hampshire, West Virginia, Montana, California, Kentucky, New Mexico, Louisiana, Oklahoma, Puerto Rico, South Dakota, Nevada, Alabama, Canal Zone (m), Mississippi, Indiana (m), Colorado (m), Oklahoma (m), Wisconsin (m)

NV: Arkansas, Alaska, New York, Arizona, Texas

SV: Hawaii, Illinois, South Carolina, Virgin Islands

V: Alabama, Arkansas, Texas, Alaska, Illinois, Arizona, Hawaii, Maine, Missouri, New York, California, Illinois, Minnesota

O: Alabama, Arizona, Arkansas, Iowa, Kentucky, Alaska, Utah

Any 1: Alabama, Arizona, Canal Zone, Texas, Washington, Georgia (j), West Virginia (j), Montana (j,m,t), California (j,t), Kentucky (j,t), New Mexico (m), Alaska (t), Arizona (t), Illinois (t), Louisiana (t), Oklahoma (t), Puerto Rico (t), South Dakota (t), Wisconsin (t)

Any 2: Arizona, Arkansas, Idaho, Iowa, Nevada, Mississippi, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Nebraska Nebraska (j), New Hampshire (j), Virginia (j), Kentucky (j,t), Indiana (m), New Mexico (m), Alaska (t), Colorado (t), Louisiana (t), Oklahoma (t), Puerto Rico (t)

Any 3: Arkansas, Georgia, North Carolina, New Mexico (m), Louisiana (t)

NV 1: New York (m,t), Canal Zone,

NV 2: Washington

NV 3: Nevada

SV 1: Hawaii, Canal Zone, Virgin Islands

SV 2: Hawaii, Washington, Illinois, South Carolina, Utah, Virgin Islands

Any 2: Washington, Georgia (j), West Virginia (j), Montana (j,m,t), California (j,t), Kentucky (j,t), New Mexico (m), Louisiana (t), Puerto Rico (t), South Dakota (t), Canal Zone (m), Oklahoma (m,t), Wisconsin (m,t)

Any 3: Idaho, Nevada, Virgin Islands, Wyoming, Canal Zone (j), Massachusetts (j), Mississippi (j), Nebraska (j), New Hampshire (j), New Mexico (m), Louisiana (t), Oklahoma (t), Puerto Rico (t), Indiana (m), Colorado (m,t)

Any 4: Georgia, North Carolina, New Mexico (m), Louisiana (t),

NV 2: Canal Zone, Alaska (t), New York (m,t), Arizona (t), Texas

NV 3: Washington, Alaska (t), Arizona

NV 4: Nevada, Arkansas

SV 2: Hawaii, Virgin Islands, Virgin Islands (j,s)

SV 3: Illinois, South Carolina, Virgin Islands

MANDATORY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1980 (cont.)

- V 1: Arizona, Hawaii, Missouri, Virgin Islands (j,s), New York (m,t), Alabama (t), California (t), Illinois (t), Minnesota (t)
- V 2: Arizona, Maryland, Missouri
- O 1: Alabama, Puerto Rico (t)
- O 2: Puerto Rico (t)

- V 2: Alabama, Texas, Alaska (t), Illinois (t), Arizona, Hawaii, Missouri, New York (m,t), Alabama (t), California (t), Illinois (t), Minnesota (t)
- V 3: Arkansas, Arizona, Maryland, Missouri, Mississippi (j), Alaska (t)
- V 4: Arkansas
- O 2: Alabama, Puerto Rico (t), Arizona, Alaska (t)
- O 3: Puerto Rico (t), Arizona, Arkansas, Iowa, Kentucky (j,t), Alaska (t), Utah
- O 4: Arkansas

HABITUAL OFFENDER STATUTES,
CATEGORIZED BY LENGTH OF PUNISHMENT AND TYPE OF OFFENSES: 1900-1980

*DISCRETIONARY SENTENCE: LESS THAN LIFE

PRESENT

PAST

PRESENT AND PAST

1900

Any: Pennsylvania, Connecticut, Louisiana,
New York, Wisconsin, New Hampshire,
Alabama, Minnesota, North Dakota
(m), South Dakota (m), Oklahoma (m),
California (m), Michigan (s)

NV: South Dakota, Kansas, Missouri,
North Dakota, Oklahoma, Montana,
Montana (m)

Any 1: South Dakota, California, Connecticut,
Kansas, Louisiana, Minnesota, Missouri,
Montana, New York, North Dakota, Oklahoma,
Pennsylvania, Michigan (j), Wisconsin (j)

Any 2: Louisiana, New Hampshire (j)

NV 1: Montana, North Dakota

O 1: Alabama

Any 2: California (m), Connecticut, Louisiana,
Minnesota, New York, North Dakota (m),
Oklahoma (m), Pennsylvania, South
Dakota (m), Michigan (s,j), Wisconsin (j)

Any 3: Louisiana, New Hampshire (j)

NV 2: Kansas, Missouri, Montana (m), South
Dakota, North Dakota, Oklahoma, Montana

O 2: Alabama

1905

Any: District of Columbia, Minnesota,
Pennsylvania, Louisiana, New York,
Connecticut, Wisconsin, New Hampshire
Alabama, Arizona (m), Canal Zone (m),
Puerto Rico (m), North Dakota (m),
South Dakota (m), Oklahoma (m),
California (m), Michigan (s)

Any 1: South Dakota, Arizona, California, Canal
Zone, District of Columbia, Kansas,
Louisiana, Minnesota, Missouri, Montana,
New York, North Dakota, Oklahoma,
Oklahoma, Pennsylvania, Puerto Rico, Con-
necticut (j), Michigan (j), Wisconsin (j)

Any 2: Arizona, California (m), Canal Zone (m),
District of Columbia, Louisiana, Min-
nesota, New York, North Dakota (m),
Oklahoma (m), Pennsylvania, Puerto
Rico (m), South Dakota (m), Con-
necticut (j), Michigan (s,j),
Wisconsin (j)

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

NV: California, South Dakota, Kansas,
Missouri, North Dakota, Oklahoma,
Puerto Rico, Montana (m), Arizona (m)

PAST

1905 (cont.)

Any 2: Connecticut, New Hampshire (j),
Louisiana

NV 1: Montana, North Dakota

O 1: Alabama

PRESENT AND PAST

Any 3: Connecticut, Louisiana, New Hampshire
(j)

NV 2: Arizona (m), California, Missouri,
Montana (m), North Dakota, Oklahoma,
Puerto Rico, South Dakota, Montana

O 2: Alabama

1910

Any: District of Columbia, Louisiana
New York, Minnesota, Connecticut,
Wisconsin, New Hampshire, Alabama,
Arizona (m), Canal Zone (m),
Puerto Rico (m), North Dakota (m),
South Dakota (m), Oklahoma (m),
California (m), Michigan (s)

NV: California, S.D., Kansas, Missouri,
North Dakota, Oklahoma, Puerto Rico,
Montana, Montana (m), Arizona (m)

Any 1: South Dakota, Arizona, Canal Zone, District
of Columbia, Kansas, Louisiana, Minnesota,
Missouri, Montana, New York, North Dakota,
Oklahoma, Puerto Rico, California (j),
Connecticut (j), Michigan (j), Wisconsin (j)

Any 2: Connecticut, Louisiana, New Hampshire (j)

NV 1: Montana, North Dakota, California (j)

O 1: Alabama

Any 2: Arizona (m), Canal Zone (m), District of
Columbia, Louisiana, Minnesota, New York
North Dakota (m), Oklahoma (m), Puerto
Rico (m), South Dakota (m), Connecticut
(j), Michigan (s,j), Wisconsin (j)

Any 3: Connecticut, Louisiana, New Hampshire
(j)

NV 2: South Dakota, Arizona (m), Kansas,
Missouri, Montana (m), North Dakota
Oklahoma, Puerto Rico, California (j),
Montana, California (j,m)

O 2: Alabama

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1915

Any: District of Columbia, Louisiana, New York, Minnesota, Connecticut, Wisconsin, New Hampshire, Alabama, Arizona (m), Canal Zone (m), South Dakota (m), Puerto Rico (m), North Dakota (m), Oklahoma (m), California (m), Michigan (s)

NV: California, South Dakota, Kansas, Missouri, North Dakota, Oklahoma, Puerto Rico, Montana, Montana (m), Arizona (m)

Any 1: South Dakota, Arizona, Canal Zone, District of Columbia, Kansas, Louisiana, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, California (j), Connecticut (j), Michigan (j), Wisconsin (j)

Any 2: Connecticut, Louisiana, New Hampshire (j)

NV 1: Montana, North Dakota, California (j)

O 1: Alabama

Any 2: District of Columbia, Louisiana, Virgin Islands, Minnesota, New York, Arizona (m), Canal Zone (m), North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), Virgin Islands (m), Connecticut (j), Michigan (s,j), Wisconsin (j)

Any 3: Connecticut, Louisiana, New Hampshire (j)

NV 2: South Dakota, Arizona (m), Kansas, Missouri, Montana (m), North Dakota, Oklahoma, Puerto Rico, California (j), Montana, California (j,m)

O 2: Alabama

1920

Any: District of Columbia, Louisiana, New York, Minnesota, Connecticut, Wisconsin, New Hampshire, Rhode Island, Alabama, Arizona (m), Canal Zone (m), Puerto Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), California (m), Michigan (s), Virginia (s),

NV: California, South Dakota, Kansas, Missouri, North Dakota, Oklahoma, Puerto Rico, Montana, Montana (m), Arizona (m)

Any 1: South Dakota, Arizona, Canal Zone, District of Columbia, Kansas, Louisiana, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, California (j), Connecticut (j), Michigan (j), Virginia (j), Wisconsin (j)

Any 2: Connecticut, Louisiana, New Hampshire (j), Rhode Island (j)

Any 2: Arizona (m), Canal Zone (m), District of Columbia, Louisiana, Minnesota, New York, North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), Connecticut (j), Michigan (s,j), Virginia (s,j), Wisconsin (j)

Any 3: Connecticut, Louisiana, New Hampshire (j), Rhode Island (j)

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1920 (cont.)

NV 1: Montana, North Dakota, California (j)

NV 2: South Dakota, Arizona (m), Kansas, Missouri, Montana (m), North Dakota, Oklahoma, Puerto Rico, California (j), Montana, California (m,j)

O 1: Alabama

O 2: Alabama

1925

Any: District of Columbia, Louisiana, New York, Minnesota, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Rico (m), North Dakota (m), South Dakota (m), Oklahoma (m), Virgin Islands (m), California (m), Michigan (s), Virginia (s)

Any 1: South Dakota, Arizona, Canal Zone, District of Columbia, Kansas, Louisiana, Minnesota, Missouri, Montana, New York, North Dakota, Oklahoma, Puerto Rico, Virgin Islands, California (j), Connecticut (j), Michigan (j), Virginia (j), Wisconsin (j)

Any 2: Arizona (m), Canal Zone (m), District of Columbia, Louisiana, Minnesota, New York, North Dakota (m), Oklahoma (m), Puerto Rico (m), South Dakota (m), Virgin Islands (m), Connecticut (j), Michigan (s,j), Virginia (s,j); Wisconsin (j)

NV: California, South Dakota, Kansas, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

Any 2: Connecticut, Louisiana, Iowa (j), New Hampshire (j), Rhode Island (j)

Any 3: Connecticut, Louisiana, Iowa (j), New Hampshire (j), Rhode Island (j)

O: Iowa

NV 1: Montana, North Dakota, California (j)

NV 2: South Dakota, Kansas, Arizona (m), Missouri, Montana (m), North Dakota, Oklahoma, Puerto Rico, Virgin Islands (m), California (j), Montana, California (m,j)

O 1: Alabama

O 2: Alabama

O 2: Iowa, Virgin Islands

O 3: Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1930

Any: District of Columbia, Florida, Minnesota, New Mexico, Louisiana, Michigan, South Dakota, Oregon, New York, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Kansas, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

SV: Pennsylvania

O: Colorado, Iowa

Any 1: Arizona, Canal Zone, District of Columbia, Florida, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Virgin Islands, California (j), Connecticut (j), Virginia (j) Wisconsin (j)

Any 2: Connecticut, Louisiana, Michigan, New Mexico, Oregon, Iowa (j), New Hampshire (j), Rhode Island (j)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

SV 1: Pennsylvania (t)

O 1: Alabama, Colorado

O 2: Colorado, Iowa, Virgin Islands

Any 2: Arizona (m), Canal Zone (m), District of Columbia, Florida, Louisiana, Michigan, Minnesota, New Mexico, New York, Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Virgin Islands (m), Connecticut (j), Virginia (s,j), Wisconsin (j)

Any 3: Connecticut, Louisiana, Michigan, New Mexico, Oregon, Iowa (j), New Hampshire (j), Rhode Island (j)

Any 4: Michigan (m)

NV 2: Arizona (m), Kansas, Missouri, Montana (m), Oklahoma, Puerto Rico, California (j), Montana, California (j,m), Virgin Islands

NV 3: North Dakota

SV 2: Pennsylvania (t)

O 2: Alabama, Colorado

O 3: Colorado, Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1935

Any: District of Columbia, Florida, Minnesota, New Mexico, Louisiana, Michigan, South Dakota, Oregon, New York, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Kansas, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

SV: Pennsylvania

O: Colorado, Iowa

Any 1: Arizona, California, Canal Zone, District of Columbia, Florida, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Virgin Islands, Connecticut (j), Virginia (j), Wisconsin (j)

Any 2: Connecticut, Louisiana, Michigan, New Mexico, Oregon, Iowa (j), New Hampshire (j), Rhode Island (j)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

SV 1: Pennsylvania (t)

O 1: Alabama, Colorado

O 2: Colorado, Iowa, Virgin Islands

Any 2: Arizona (m), Canal Zone (m), District of Columbia, Florida, Louisiana, Michigan, Minnesota, New Mexico, New York, Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Virgin Islands (m), Connecticut (j), Virginia (s,j), Wisconsin (j)

Any 3: Connecticut, Louisiana, Michigan, New Mexico, Oregon, Iowa (j), New Hampshire (j), Rhode Island (j)

Any 4: Michigan (m)

NV 2: Arizona (m), California, Kansas, Missouri, Montana (m), Oklahoma, Montana, California (j,m), Puerto Rico, Virgin Islands

NV 3: North Dakota

SV 2: Pennsylvania (t)

O 2: Alabama, Colorado

O 3: Colorado, Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

Any: Alaska, District of Columbia, Florida, Minnesota, New Mexico, Louisiana, Michigan, South Dakota, Oregon, New York, Wyoming, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Nebraska, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Alaska, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

SV: Pennsylvania

O: Colorado, Iowa

PAST

1940

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Louisiana, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Virgin Islands, California (j), Connecticut (j), Virginia (j), Wisconsin (j)

Any 2: Alaska, Connecticut, Louisiana, Michigan, New Mexico, Oregon, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska

SV 1: Pennsylvania (t)

O 1: Alabama, Colorado

O 2: Colorado, Iowa, Virgin Islands

PRESENT AND PAST

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Louisiana, Michigan, Minnesota, New Mexico, New York, Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Virgin Islands (m), Connecticut (j), Virginia (j,s), Wisconsin (j)

Any 3: Connecticut, Louisiana, Michigan, Oregon, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Alaska

Any 4: Michigan (m)

NV 2: Arizona (m), Missouri, Montana (m), Oklahoma, Puerto Rico, Virgin Islands, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska

SV 2: Pennsylvania (t)

O 2: Alabama, Colorado

O 3: Colorado, Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

Any: Alaska, District of Columbia, Florida, Minnesota, New Mexico, Michigan, South Dakota, Oregon, New Jersey, Wyoming, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Nebraska, Louisiana, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), New York (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Alaska, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

SV: Pennsylvania

O: Colorado, Iowa

PAST

1945

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, Virgin Islands, California (j), Connecticut (j), Virginia (j), Wisconsin (j), Louisiana (t)

Any 2: Alaska, Connecticut, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Michigan

NV 1: Montana, Colorado (j)

NV 2: North Dakota

NV 3: Alaska

SV 1: Pennsylvania (t)

O 1: Alabama, Colorado

O 2: Colorado, Iowa, Virgin Islands

PRESENT AND PAST

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Michigan, Minnesota, New Jersey, New Mexico, New York (m), Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Virgin Islands (m), Connecticut (j), Virginia (s,j), Wisconsin (j), Louisiana (t)

Any 3: Alaska, Connecticut, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 4: Michigan (m)

NV 2: Arizona (m), Virgin Islands, Missouri, Montana (m), Oklahoma, Puerto Rico, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska

NV 2: Pennsylvania (t)

O 2: Alabama, Colorado

O 3: Colorado, Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

Any: Alaska, District of Columbia, Florida, Minnesota, New Mexico, Michigan, South Dakota, New Jersey, Wyoming, Colorado, Connecticut, Wisconsin, New Hampshire, Rhode Island, Iowa, Nebraska, Louisiana, Oregon, Alabama, Virgin Islands, Arizona (m), Canal Zone (m), Puerto Rico (m), Oklahoma (m), New York (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Alaska, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Montana (m), Arizona (m)

SV: Pennsylvania

O: Iowa

PAST

1950

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, Oklahoma, Puerto Rico, South Dakota, Virgin Islands, California (j), Connecticut (j), Virginia (j), Wisconsin (j), Louisiana (t), Oregon (t)

Any 2: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska

SV 1: Pennsylvania (t)

O 1: Alabama

O 2: Iowa, Virgin Islands

PRESENT AND PAST

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Michigan, Minnesota, New Jersey, New Mexico, New York (m), South Dakota, Oklahoma (m), Puerto Rico (m), Virgin Islands (m), Connecticut (j), Virginia (s,j), Wisconsin (j), Louisiana (t), Oregon (t)

Any 3: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 4: Michigan (m)

NV 2: Arizona (m), Missouri, Montana (m), Oklahoma, Puerto Rico, Virgin Islands, California (j), California (j,m)

NV 3: North Dakota

NV 4: Alaska

SV 2: Pennsylvania (t)

O 2: Alabama

O 3: Iowa, Virgin Islands

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1955

Any: Alaska, District of Columbia, Florida, Minnesota, New Mexico, New Jersey, Michigan, South Dakota, New York, Wyoming, Colorado, Connecticut, New Hampshire, Rhode Island, Iowa, Nebraska, Louisiana, Wisconsin, Oregon, Alabama, Virgin Islands, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Arizona (m), Virgin Islands (m), Michigan (m), California (m), Virginia (s)

NV: California, Alaska, Missouri, Oklahoma, Puerto Rico, Virgin Islands, Montana, North Dakota, Arizona (m), Montana (m)

SV: Delaware, Pennsylvania

O: Iowa

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Michigan, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, Oklahoma, Puerto Rico, South Dakota, Virgin Islands, California (j), Connecticut (j), Virginia (j), Louisiana (t), Oregon (t), Wisconsin (t)

Any 2: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska, Wisconsin (t)

SV 1: Delaware, Pennsylvania (t)

SV 2: Delaware

O 1: Alabama

O 2: Iowa, Virgin Islands

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Michigan, Minnesota, New Jersey, New Mexico, New York, Oklahoma (m), Puerto Rico (m), South Dakota, Virgin Islands (m), Connecticut (j), Virginia (s,j), Louisiana (t), Oregon (t), Wisconsin (t)

Any 3: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 4: Michigan (m)

NV 2: Arizona (m), Missouri, Montana (m), Oklahoma, Puerto Rico, Virgin Islands, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska, Wisconsin (t)

SV 2: Delaware, Pennsylvania (t)

SV 3: Delaware

O 2: Alabama

O 3: Virgin Islands, Iowa

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1960

Any: Alaska, District of Columbia, Florida, Minnesota, New Mexico, New Jersey, Michigan, South Dakota, New York, Wyoming, Colorado, Connecticut, New Hampshire, Rhode Island, Iowa, Nebraska, Louisiana, Oregon, Wisconsin, Alabama, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Arizona (m), Michigan (m), Wisconsin (m), California (m), Virginia (s)

NV: California, Alaska, Oklahoma, Puerto Rico, Montana, North Dakota, Arizona (m), Montana (m)

SV: Delaware, Pennsylvania

O: Iowa

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Michigan, Minnesota, Montana, New Jersey, New Mexico, New York, Oklahoma, Puerto Rico, South Dakota, California (j), Connecticut (j), Virginia (j), Louisiana (t), Oregon (t), Wisconsin (t)

Any 2: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska, Wisconsin (t)

SV 1: Delaware, Pennsylvania (t)

SV 2: Delaware

O 1: Alabama

O 2: Iowa

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Michigan, Minnesota, New Jersey, New Mexico, New York, Oklahoma (m), Puerto Rico (m), South Dakota, Connecticut (j), Virginia (s,j), Louisiana (t), Oregon (t), Wisconsin (m,t)

Any 3: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 4: Michigan (m)

NV 2: Arizona (m), Montana (m), Oklahoma, Puerto Rico, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska, Wisconsin (t)

SV 2: Delaware, Pennsylvania (t)

SV 3: Delaware

O 2: Alabama

O 3: Iowa

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1965

Any: Alaska, District of Columbia, Florida, New Mexico, New Jersey, Michigan, South Dakota, Oregon, New York, Wyoming, Colorado, Connecticut, New Hampshire, Rhode Island, Iowa, Nebraska, Minnesota, Louisiana, Wisconsin, Alabama, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Arizona (m), Michigan (m), Wisconsin (m), California (m), Virginia (s)

NV: California, Alaska, Oklahoma, Puerto Rico, Montana, North Dakota, Arizona (m), Montana (m)

SV: Delaware, Pennsylvania

V: Illinois

O: Iowa

Any 1: Alaska, Arizona, Canal Zone, District of Columbia, Florida, Michigan, Montana, New Jersey, New Mexico, New York, Oklahoma, Oregon, Puerto Rico, South Dakota, California (j), Connecticut (j), Virginia (j), Illinois (t), Louisiana (t), Minnesota (t), Wisconsin (t)

Any 2: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska, Wisconsin (t)

SV 1: Delaware, Pennsylvania (t)

SV 2: Delaware

O 1: Alabama

O 2: Iowa

Any 2: Alaska, Arizona (m), Canal Zone (m), District of Columbia, Florida, Michigan, New Jersey, New Mexico, New York, Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Connecticut (j), Virginia (j,s), Minnesota (t), Louisiana (t), Wisconsin (m,t)

Any 3: Alaska, Colorado, Connecticut, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), Nebraska (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 4: Michigan (m)

NV 2: Arizona (m), Montana (m), Oklahoma, Puerto Rico, California (j), Montana California (m,j)

NV 3: North Dakota

NV 4: Alaska, Wisconsin (t)

SV 2: Delaware, Pennsylvania (t)

SV 3: Delaware

V 2: Illinois (t)

O 2: Alabama

O 3: Iowa

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1970

Any: Alaska, Arkansas, District of Columbia, Florida, New Mexico, New Jersey, Michigan, South Dakota, Oregon, Wyoming, Minnesota, Louisiana, Wisconsin, Alabama, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Arizona (m), Wisconsin (m), California (m), Colorado, New Hampshire, Rhode Island, Iowa, Michigan (m)

NV: California, Alaska, Oklahoma, Puerto Rico, Montana, North Dakota, Arizona (m), Montana (m)

SV: Delaware, Pennsylvania

V: Illinois, Connecticut, Oregon

O: Iowa

Any 1: Alaska, Arizona, Arkansas, Canal Zone, District of Columbia, Florida, Michigan, Montana, New Jersey, New Mexico, Oklahoma, Oregon, Puerto Rico, South Dakota, California (j), Illinois (t), Louisiana (t), Minnesota (t), Wisconsin (t)

Any 2: Alaska, Arkansas, Colorado, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Arkansas, Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska, Wisconsin (t)

SV 1: Delaware, Pennsylvania (t)

SV 2: Delaware

V 1: Connecticut, Oregon

V 2: Oregon

O 1: Alabama

O 2: Iowa

Any 2: Alaska, Arizona (m), Arkansas, Canal Zone (m), District of Columbia, Florida, Michigan, New Jersey, New Mexico, Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Louisiana (t), Minnesota (t), Wisconsin (m,t)

Any 3: Alaska, Arkansas, Colorado, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Louisiana (t), New Hampshire (j), Rhode Island (j), Iowa (j),

Any 4: Arkansas, Michigan (m)

NV 2: Arizona (m), Montana (m), Oklahoma, Puerto Rico, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska, Wisconsin (t)

SV 2: Delaware, Pennsylvania (t)

SV 3: Delaware

V 2: Illinois (t), Connecticut, Oregon

V 3: Oregon

O 2: Alabama

O 3: Iowa

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1970

Any: Alaska, Arkansas, District of Columbia, Florida, New Mexico, New Jersey, Michigan, South Dakota, Oregon, Wyoming, Minnesota, Louisiana, Wisconsin, Alabama, Canal Zone (m), Puerto Rico (m), Oklahoma (m), Arizona (m), Wisconsin (m), California (m), Colorado, New Hampshire, Rhode Island, Iowa, Michigan (m)

NV: California, Alaska, Oklahoma, Puerto Rico, Montana, North Dakota, Arizona (m), Montana (m)

SV: Delaware, Pennsylvania

V: Illinois, Connecticut, Oregon

O: Iowa

Any 1: Alaska, Arizona, Arkansas, Canal Zone, District of Columbia, Florida, Michigan, Montana, New Jersey, New Mexico, Oklahoma, Oregon, Puerto Rico, South Dakota, California (j), Illinois (t), Louisiana (t), Minnesota (t), Wisconsin (t)

Any 2: Alaska, Arkansas, Colorado, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Iowa (j), New Hampshire (j), Rhode Island (j), Louisiana (t)

Any 3: Arkansas, Michigan

NV 1: Montana, California (j)

NV 2: North Dakota

NV 3: Alaska, Wisconsin (t)

SV 1: Delaware, Pennsylvania (t)

SV 2: Delaware

V 1: Connecticut, Oregon

V 2: Oregon

O 1: Alabama

O 2: Iowa

Any 2: Alaska, Arizona (m), Arkansas, Canal Zone (m), District of Columbia, Florida, Michigan, New Jersey, New Mexico Oklahoma (m), Oregon, Puerto Rico (m), South Dakota, Louisiana (t), Minnesota (t), Wisconsin (m,t)

Any 3: Alaska, Arkansas, Colorado, Michigan, New Jersey, New Mexico, Oregon, Wyoming, Louisiana (t), New Hampshire (j), Rhode Island (j), Iowa (j),

Any 4: Arkansas, Michigan (m)

NV 2: Arizona (m), Montana (m), Oklahoma, Puerto Rico, California (j), Montana, California (m,j)

NV 3: North Dakota

NV 4: Alaska, Wisconsin (t)

SV 2: Delaware, Pennsylvania (t)

SV 3: Delaware

V 2: Illinois (t), Connecticut, Oregon

V 3: Oregon

O 2: Alabama

O 3: Iowa

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1975

Any: Alaska, Arkansas, District of Columbia, Kansas, New Mexico, New Jersey, South Dakota, Michigan, Wyoming, New Mexico, Colorado, Nevada, New Hampshire, Rhode Island, Iowa, United States, Minnesota, Louisiana, Puerto Rico, Wisconsin, Alabama, Canal Zone (m), Oklahoma (m), Arizona (m), Michigan (m), Wisconsin, California (m)

NV: California, Connecticut, New York, Alaska, Oklahoma, North Dakota, Arizona (m)

SV: Michigan, Pennsylvania, Virgin Islands

V: Illinois, Oregon

O: Hawaii, Kentucky, Connecticut, New York, Florida, Iowa

Any 1: Alaska, Arizona, Arkansas, Canal Zone, District of Columbia, Kansas, Michigan, New Jersey, New Mexico, Oklahoma, South Dakota, California (j), New York (m,t), Florida (t), Illinois (t), Louisiana (t), Minnesota (t), Oregon (t), Puerto Rico (t), Wisconsin (t)

Any 2: Alaska, Arkansas, Colorado, District of Columbia, Hawaii, Michigan, Nevada, New Jersey, New Mexico, Wyoming, Connecticut (j), Iowa (j), Kentucky (j), New Hampshire (j), Rhode Island (j), United States (j,m,t), Louisiana (t), Puerto Rico (t)

Any 3: Arkansas, Michigan

NV 1: California (j)

NV 2: North Dakota

NV 3: Nevada, Alaska, Wisconsin (t)

SV 1: Michigan, Virgin Islands, Pennsylvania (t)

V 1: Oregon, Virgin Islands (j,s)

V 2: Oregon

Any 2: Alaska, Arizona (m), Arkansas, Canal Zone (m), District of Columbia, Kansas, Michigan, New Jersey, New Mexico, Oklahoma (m), South Dakota, Louisiana (t), Minnesota (t), Puerto Rico (t), Wisconsin (m,t)

Any 3: Alaska, Arkansas, Colorado, District of Columbia, Michigan, Nevada, New Jersey, New Mexico, Wyoming, Iowa (j), United States (j,m,t), Louisiana (t), Puerto Rico (t), New Hampshire (j), Rhode Island (j)

Any 4: Arkansas, Michigan (m)

NV 2: Arizona (m), Oklahoma, California (j), Connecticut (j), New York (m,t), California (j,m)

NV 3: North Dakota, Connecticut (j)

NV 4: Nevada, Alaska, Wisconsin (t)

SV 2: Michigan, Virgin Islands, Pennsylvania (t), Virgin Islands (j,s)

V 2: Illinois (t), Oregon (t), Oregon

V 3: Oregon

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1975 (cont.)

O 1: Alabama, Puerto Rico (t)

O 2: Iowa, Puerto Rico (t)

O 2: New York (m,t), Florida (t), Alabama, Puerto Rico (t)

O 3: Hawaii, Connecticut (j), Kentucky (j), Iowa, Puerto Rico (t)

1980

Any: District of Columbia, Kansas, Michigan, Wyoming, Nevada, New Hampshire, Rhode Island, Minnesota, United States, Louisiana, Wisconsin, Alabama, Canal Zone (m), Michigan (m), Wisconsin (m), Oklahoma (m), Colorado (m)

NV: Arkansas, Connecticut, Alaska, New York, Missouri, Arizona, Oklahoma,

SV: Michigan, Virgin Islands, Illinois

V: Illinois, Alaska, Oregon, Arizona, New York, Alabama

O: Alabama, Arizona, Arkansas, Iowa, Hawaii, Missouri, Connecticut, Kentucky, Florida, Alaska, North Dakota

Any 1: Alabama, Arizona, Canal Zone, District of Columbia, Kansas, Michigan, Alaska (t), Arizona (t), Florida (t), Illinois (t), Louisiana (t), Minnesota (t), Oklahoma (t), Oregon (t), Wisconsin (t)

Any 2: Arizona, Arkansas, District of Columbia, Hawaii, Iowa, Kansas, Michigan, Missouri, Nevada, Wyoming, Connecticut (j), New Hampshire (j), Rhode Island (j), United States (j,m,t), Kentucky (j,t), Florida (m,t), Alaska (t), Colorado (t), Louisiana (t)

Any 3: Arkansas, Michigan

NV 1: New York (m,t)

NV 2: Iowa (j)

Any 2: Canal Zone (m), District of Columbia, Kansas, Michigan, Louisiana (t), Oklahoma (m,t), Wisconsin (m,t)

Any 3: District of Columbia, Kansas, Michigan, Nevada, Wyoming, New Hampshire (j), Rhode Island (j), United States (j,m,t), Colorado (m,t), Louisiana (t)

Any 4: Michigan (m), Minnesota (t)

NV 2: Arizona (t), Alaska (t), Oklahoma (t), New York (m,t), Missouri

NV 3: Arizona, Arkansas, Connecticut (j), Alaska (t)

DISCRETIONARY SENTENCE: LESS THAN LIFE (cont.)

PRESENT

PAST

PRESENT AND PAST

1980 (cont.)

NV 3: Nevada, North Dakota, Wisconsin (t)
SV 1: Michigan, Missouri, Virgin Islands,

SV 2: Illinois
V 1: Arizona, Oregon, Virgin Islands (j,s),
New York (m,t), Alabama (t), Illinois (t)

V 2: Arizona, Oregon
O 1: Alabama

O 2: North Dakota

NV 4: Arkansas, Nevada, Wisconsin (t)
SV 2: Michigan, Missouri, Virgin Islands,
Virgin Islands (j,s)

SV 3: Illinois
V 2: Alaska (t), Illinois (t), Oregon (t),
Arizona, Oregon, New York (m,t),
Alabama (t)

V 3: Alaska (t), Arizona, Oregon
O 2: Alabama, Arizona, Alaska (t), Florida
(t), Missouri

O 3: Arizona, Arkansas, Hawaii, Iowa,
Missouri, Connecticut (j), Kentucky
(j,t), Florida (m,t), Alaska (t),
Iowa (j), North Dakota

O 4: Arkansas, North Dakota

STATES WITH NO HABITUAL OFFENDER STATUTE: 1900-1980

1900

Alaska	Arizona	Arkansas	Canal Zone
Colorado	Delaware	District of Columbia	Florida
Hawaii	Idaho	Indiana	Maryland
Nebraska	Nevada	New Jersey	New Mexico
North Carolina	Oregon	Puerto Rico	South Carolina
Tennessee	United States	Vermont	Virgin Islands
Washington	Wyoming	Mississippi	

1910

Alaska	Arkansas	Colorado	Delaware
Florida	Hawaii	Idaho	Maryland
Nebraska	Nevada	New Jersey	New Mexico
North Carolina	Oregon	South Carolina	Tennessee
United States	Vermont	Virgin Islands	Wyoming
Mississippi			

1920

Alaska	Arkansas	Colorado	Delaware
Florida	Hawaii	Idaho	Maryland
Nebraska	New Jersey	New Mexico	North Carolina
Oregon	South Carolina	Tennessee	United States
Vermont	Virgin Islands	Wyoming	Mississippi

1930

Alaska	Arkansas	Delaware	Hawaii
Maryland	North Carolina	South Carolina	Tennessee
United States	Wyoming	Mississippi	

1905

Alaska	Arkansas	Colorado	Delaware
Florida	Hawaii	Idaho	Indiana
Maryland	Nebraska	Nevada	New Jersey
New Mexico	North Carolina	Oregon	South Carolina
Tennessee	United States	Vermont	Virgin Islands
Wyoming	Mississippi		

1915

Alaska	Arkansas	Colorado	Delaware
Florida	Hawaii	Idaho	Maryland
Nebraska	New Jersey	New Mexico	North Carolina
Oregon	South Carolina	Tennessee	United States
Vermont	Virgin Islands	Wyoming	Mississippi

1925

Alaska	Arkansas	Colorado	Delaware
Florida	Hawaii	Maryland	New Jersey
New Mexico	North Carolina	South Carolina	Tennessee
United States	Vermont	Wyoming	Mississippi

1935

Alaska	Arkansas	Delaware	Hawaii
Maryland	North Carolina	South Carolina	Tennessee
United States	Wyoming	Mississippi	

STATES WITH NO HABITUAL OFFENDER STATUTE: 1900-1980 (cont.)

<u>1940</u>				<u>1945</u>			
Arkansas North Carolina	Delaware South Carolina	Hawaii United States	Maryland Mississippi	Arkansas North Carolina	Delaware South Carolina	Hawaii United States	Maryland Mississippi
<u>1950</u>				<u>1955</u>			
Arkansas North Carolina	Delaware South Carolina	Hawaii United States	Maryland Mississippi	Hawaii United States	Maryland Mississippi	North Carolina	South Carolina
<u>1960</u>				<u>1965</u>			
Hawaii Mississippi	Maryland	North Carolina	United States	Hawaii Mississippi	Maryland	North Carolina	United States
<u>1970</u>				<u>1975</u>			
Hawaii	Maryland	United States	Mississippi	Maryland	Mississippi	Ohio	Utah
<u>1980</u>							
Maine Virginia	New Jersey	Ohio	Pennsylvania				

TABLE 6E (cont.)

NUMBER OF JURISDICTIONS IN THE U.S. WITH HABITUAL
OFFENDER STATUTES, BY LENGTH OF PUNISHMENT AND
TYPE OF UNDERLYING OFFENSES
1900 - 1980

MANDATORY LIFE SENTENCE

Type of Felonies Triggering Application of the Statutes

	<u>Any Felonies</u> <u>(No. of felonies)</u>				<u>At least one</u> <u>violent felony</u> <u>(No. of felonies)</u>				<u>Other</u> <u>limitations</u> <u>(No. of felonies)</u>			
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
1900	-	5	-	5	-	-	-	0	-	-	-	0
1905	-	6	-	6	-	-	-	0	-	-	-	0
1910	-	7	2	8	-	-	-	0	-	-	-	0
1915	-	7	3	9	-	-	-	0	-	-	-	0
1920	-	6	2	7	-	-	-	0	-	-	-	0
1925	-	7	3	9	-	-	1	1	-	-	-	0
1930	-	7	9	15	-	-	1	1	-	-	2	2
1935	-	6	9	13	-	-	1	1	-	-	3	3
1940	-	5	10	14	-	-	2	2	-	1	1	1
1945	-	5	10	14	-	-	2	2	-	1	3	3
1950	-	6	10	13	-	-	2	2	-	-	1	1
1955	-	5	8	12	-	1	2	3	-	-	1	1
1960	-	6	8	12	-	-	3	3	-	-	1	1
1965	-	6	7	11	-	-	3	3	-	-	1	1
1970	-	6	7	11	-	-	3	3	-	-	1	1
1975	-	5	6	9	-	2	3	5	-	-	-	0
1980	-	3	5	7	-	5	4	8	-	-	-	0

Column # 1 2 3 4 5 6 7 8 9 10 11 12

DISCRETIONARY LIFE SENTENCE

Type of Felonies Triggering Application of the Statutes

	<u>Any or Non-</u> <u>violent felonies</u> <u>(No. of felonies)</u>				<u>At least one</u> <u>violent or semi-</u> <u>violent felony</u> <u>(No. of felonies)</u>				<u>Other</u> <u>Limitations</u> <u>(No. of felonies)</u>			
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
1900	6	3	1	10	-	-	-	-	-	1	-	1
1905	10	3	1	14	-	-	-	-	-	-	-	0
1910	10	4	1	14	-	-	-	-	-	-	-	0
1915	10	5	2	15	-	-	-	-	-	-	-	0
1920	10	6	2	16	-	-	-	-	-	-	-	0
1925	12	8	2	20	-	1	-	1	-	-	-	0
1930	10	7	5	20	-	-	1	1	-	-	-	0
1935	9	7	5	18	-	-	1	1	-	-	-	0
1940	9	7	6	19	-	-	1	1	-	-	-	0
1945	9	7	6	19	-	-	1	1	-	-	-	0
1950	9	7	9	22	-	-	1	1	-	-	-	0
1955	10	8	9	23	1	1	1	3	-	-	-	0
1960	9	9	12	25	1	1	1	3	-	-	-	0
1965	9	8	12	24	-	1	1	2	-	-	-	0
1970	9	8	11	25	3	1	2	4	-	-	-	0
1975	6	7	9	21	3	3	2	8	-	2	-	2
1980	6	8	7	18	6	9	2	12	1	5	-	5
Column #	1	2	3	4	5	6	7	8	9	10	11	12

MANDATORY SENTENCE:
LESS THAN LIFE

Type of Felonies Triggering Application of the Statutes

	Any or Non-violent felonies (No. of felonies)				At least one violent or semi-violent felony (No. of felonies)				Other Limitations (No. of felonies)			
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
1900	14	5	-	19	-	-	-	0	2	1	-	3
1905	18	8	-	23	-	-	-	0	2	1	-	3
1910	18	13	-	24	-	-	-	0	-	2	-	2
1915	18	12	-	26	-	-	-	0	2	1	-	3
1920	17	11	1	24	-	-	-	0	2	1	-	3
1925	18	12	1	26	-	1	-	1	2	-	-	2
1930	22	14	3	27	1	1	-	1	3	1	1	4
1935	23	15	4	29	1	1	-	1	3	2	-	4
1940	21	17	5	30	2	1	-	2	3	2	-	4
1945	21	16	7	29	2	1	-	2	3	2	-	4
1950	19	14	6	28	2	1	-	2	2	1	-	3
1955	20	16	8	29	3	3	-	4	2	1	-	3
1960	19	16	8	29	3	4	-	5	2	1	-	3
1965	17	15	7	26	4	4	-	6	2	-	-	2
1970	16	13	6	24	5	4	-	4	2	1	-	3
1975	15	15	6	25	5	3	-	5	3	2	-	4
1980	16	17	6	28	11	9	2	14	4	6	1	8
Column #	1	2	3	4	5	6	7	8	9	10	11	12

TABLE 7C
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DISCRETIONARY SENTENCE:
LESS THAN LIFE

Type of Felonies Triggering Application of the Statutes

	Any or Non-violent felonies (No. of felonies)				At least one violent or semi-violent felony (No. of felonies)				Other Limitations (No. of felonies)			
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
	2	3	4+	Total	2	3	4+	Total	2	3	4+	Total
1900	14	2	-	15	-	-	-	0	1	-	-	1
1905	17	3	-	18	-	-	-	0	1	-	-	1
1910	17	3	-	17	-	-	-	0	1	-	-	1
1915	18	3	-	19	-	-	-	0	1	-	-	1
1920	18	4	-	20	-	-	-	0	1	-	-	1
1925	19	5	-	22	-	-	-	0	1	2	-	3
1930	21	9	1	25	1	-	-	1	2	3	-	4
1935	21	9	1	25	1	-	-	1	2	3	-	4
1940	21	12	2	27	1	-	-	1	2	3	-	4
1945	25	13	2	28	1	-	-	1	2	3	-	4
1950	22	13	2	29	1	-	-	1	1	2	-	3
1955	22	13	2	29	2	1	-	2	1	2	-	3
1960	20	13	3	27	2	1	-	2	1	1	-	2
1965	20	14	3	27	3	1	-	2	1	1	-	2
1970	18	13	4	24	5	2	-	5	1	1	-	2
1975	19	16	5	26	5	1	-	5	4	5	-	8
1980	11	15	4	20	3	1	-	4	-	-	-	0
Column #	1	2	3	4	5	6	7	8	9	10	11	12

TABLE 7D
-201-

SUMMARY OF TABLES 7A-D

Year	Life, Mandatory				Life, Discretionary		Less than Life, Mandatory		Less than Life, Discretionary		No Statute
	Any	Violent	Other	Total	Total		Total		Total		
1900	5	-	-	5	11		22		16		27
1905	6	-	-	6	14		26		19		22
1910	8	-	-	8	14		27		19		21
1915	9	-	-	9	15		28		19		20
1920	7	-	-	7	16		23		21		20
1925	9	1	-	10	20		28		23		16
1930	15	1	2	18	21		33		28		11
1935	13	1	3	17	21		33		28		11
1940	14	2	1	17	20		34		28		8
1945	14	2	3	19	21		33		31		8
1950	13	2	1	16	23		30		31		9
1955	12	3	1	15	26		33		32		6
1960	12	3	1	16	26		35		30		5
1965	11	3	1	15	24		33		31		5
1970	11	3	1	15	28		34		27		4
1975	9	5	-	14	30		30		32		4
1980	7	8	-	15	29		37		29		5

Column #1 2 3 4 5 6 7 8

TABLE 7E
-202-

NUMBER OF JURISDICTIONS WITH
HABITUAL OFFENDER STATUTES, BY NATURE
OF PUNISHMENT: 1900-1980

	<u>Mandatory Sentence</u>	<u>Discretionary Sentence</u>
1900	23	20
1905	27	23
1910	29	23
1915	30	25
1920	28	26
1925	31	30
1930	35	36
1935	35	36
1940	36	38
1945	37	38
1950	34	39
1955	35	41
1960	37	40
1965	31	40
1970	32	43
1975	31	46
1980	37	40

TABLE 7F
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MAXIMUM PENALTIES UNDER CURRENT
HABITUAL OFFENDER STATUTES

1. MANDATORY LIFE

- a. Any three felonies: Texas, Washington, West Virginia
- b. Any four felonies: Colorado, South Dakota, Wyoming
- c. Violent felonies only: Illinois, Louisiana, Maryland,
Mississippi, New York, South
Carolina, Tennessee

2. DISCRETIONARY LIFE

- a. Any felonies: Canal Zone, Delaware, District of
Columbia, Idaho, Michigan, Montana,
Nebraska, Nevada, North Carolina,
Oklahoma, Puerto Rico, Vermont,
Virgin Islands
- b. Violent felonies only: Alabama, Arkansas, Florida, Hawaii,
Kentucky, Missouri, North Dakota,
Oregon
- c. Other requirements: Connecticut, Utah

3. LESS THAN LIFE: MANDATORY

- a. Any felonies: Alaska, Arizona, Georgia, Indiana,
Massachusetts, New Hampshire, New
Mexico, Wisconsin
- b. Violent felonies only: California, Minnesota

4. LESS THAN LIFE: DISCRETIONARY

- a. Any felonies: Kansas, Rhode Island, United States
- b. Other requirements: Iowa

5. NO STATUTE

- a. Maine, New Jersey, Ohio, Pennsylvania, Virginia